CITY OF SANTA BARBARA CITY COUNCIL REDEVELOPMENT AGENCY

Helene Schneider
Mayor/Chair
Bendy White
Mayor Pro Tempore/Vice Chair
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Frank Hotchkiss
Randy Rowse
Michael Self



James L. Armstrong
City Administrator/
Executive Director

Stephen P. Wiley City Attorney/Agency Counsel

City Hall 735 Anacapa Street http://www.SantaBarbaraCA.gov

JUNE 7, 2011 AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and http://www.SantaBarbaraCA.gov. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (http://www.SantaBarbaraCA.gov). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

12:30 p.m. - Ordinance Committee Meeting, Council Chamber

2:00 p.m. - City Council Meeting

2:00 p.m. - Redevelopment Agency Meeting

4:00 p.m. - Interviews for City Advisory Groups (Estimated Time)

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Airport Ordinance Update and Security Program Resolution

Recommendation: That Ordinance Committee:

- A. Review and recommend that the City Council introduce and subsequently adopt an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport; and
- B. Review and recommend that the City Council adopt a resolution of the City of Santa Barbara adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

REGULAR CITY COUNCIL MEETING – 2:00 P.M. REGULAR REDEVELOPMENT AGENCY MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring June 8, 2011, As World Oceans Day (120.04)
- 2. Subject: Employee Recognition Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through June 30, 2011.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meetings of April 27, May 5, and May 9, 2011, the regular meeting of May 10, 2011, and the special meetings of May 12, and May 16, 2011.

CITY COUNCIL (CONT'D)

4. Subject: Fiscal Year 2011 Interim Financial Statements For The Ten Months Ended April 30, 2011 (250.02)

Recommendation: That Council accept the Fiscal Year 2011 Interim Financial Statements for the Ten Months Ended April 30, 2011.

5. Subject: Adoption of Sign Ordinance Revisions (640.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 22.70.020 and 22.70.030 of the Santa Barbara Municipal Code Relating to Sign Regulations.

6. Subject: Records Destruction For Airport Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department in the Administration Division.

7. Subject: Submission Of Grant Application For Non-Point Source Water Pollution Reduction Project (540.14)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Submit an Application to the State Water Resources Control Board for Grant Funding of \$500,000 from the Clean Water State Revolving Fund (CWSRF) for the Infrastructure Retrofit - Storm Water Quality Improvement Project.

8. Subject: Alcoholic Beverage Control Grant Assistance To Local Law Enforcement Agencies (520.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project;
- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Appropriate the City's grant allocation of \$60,000 to the Miscellaneous Grant Fund.

CITY COUNCIL (CONT'D)

9. Subject: Approval Of Emergency Purchase Order For Digester Building Sludge Line Repair At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the General Services Manager to award an after-the-fact Purchase Order Contract in the amount of \$66,640 to Lash Construction, Inc. (Lash), for the emergency repair of the Digester Building Sludge Lines at the El Estero Wastewater Treatment Plant (El Estero).

10. Subject: Approval Of Emergency Purchase Orders For Response To Milpas Roundabout Sewer Main Break (540.13)

Recommendation: That Council authorize the General Services Manager to approve after-the -fact Emergency Purchase Orders to:

- A. Tierra Contracting, Inc. (Tierra), for assisting City staff with emergency response services to prepare the site and install a temporary bypass pumping system at the Milpas Roundabout, in an amount not to exceed \$24,000;
- B. Rain For Rent for providing rental and delivery of a temporary bypass pumping system at the Milpas Roundabout, in an amount not to exceed \$23.668.90; and
- C. Southland Water Technologies for delivery and installation of a wireless level sensing alarm and a one-year service contract, in an amount not to exceed \$2,654.50.

11. Subject: Contract For Development Of Wastewater Collection System Strategic Management Program, Phase II (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$144,820 to continue development of the Collection System Capital Planning and related Sewer System Management Plan activities, and authorize the Public Works Director to approve expenditures of up to \$14,482 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$159,302.

CITY COUNCIL (CONT'D)

12. Subject: Agreement With The Santa Barbara Metropolitan Transit District For Transit Services (150.05)

Recommendation: That Council authorize the Public Works Director to execute a two-year Master Agreement (Agreement) for fiscal years 2012 and 2013, in a form of agreement acceptable to the City Attorney, with the Santa Barbara Metropolitan Transit District (MTD) for transit services in an amount not to exceed \$1,391,521 for Fiscal Year 2012.

13. Subject: Renewal Of Agreement For Paratransit Services With Easy Lift Transportation, Incorporated (670.01)

Recommendation: That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Incorporated (Easy Lift), for paratransit services for elderly and mobility-impaired people, in an amount not to exceed \$229,416.73 for Fiscal Year 2012.

14. Subject: Appropriation Of Auto Theft Funds (520.04)

Recommendation: That Council increase appropriations by \$6,400 in the Police Asset Forfeiture and Grants Fund from Auto Theft Program reserves for use in the production and airing of a Public Service Announcement commercial educating the public on preventing auto theft.

REDEVELOPMENT AGENCY

15. Subject: Minutes

Recommendation: That the Redevelopment Agency Board waive the reading and approve the minutes of the regular meeting of March 15, 2011, and the special meeting of March 29, 2011.

16. Subject: Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The Ten Months Ended April 30, 2011

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements for the Ten Months Ended April 30, 2011.

NOTICES

- 17. The City Clerk has on Thursday, June 2, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 18. A City Council site visit is scheduled on Monday, June 13, 2011, at 1:30 p.m. to the property located at 900 Calle de los Amigos, which is the subject of an appeal hearing set for June 14, 2011, at 2:00 p.m.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

19. Subject: Public Hearing For The Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2012 (550.10)

Recommendation: That Council:

- A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2012, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2012, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2012.

FIRE DEPARTMENT

20. Subject: Renewal Of Levy For Fiscal Year 2012 For The Wildland Fire Suppression Assessment District (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2012.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ADMINISTRATOR

21. Subject: 2011 Legislative Platform (160.02)

Recommendation: That Council:

- A. Adopt the 2011 Legislative Platform that guides the City's support or opposition to state and federal legislation; and
- B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact state and federal representatives to advocate for legislation consistent with the goals of the Legislative Platform.

REDEVELOPMENT AGENCY REPORTS

22. Subject: Resolutions Approving The Transfer Of All Real Property Of The Redevelopment Agency Of The City Of Santa Barbara To The City Of Santa Barbara (620.03)

Recommendation:

- A. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving the Transfer of All Interests in Real Property, Including All Leaseholds and Easements, Owned by the Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara to Implement the Provisions Set Forth in the Multi-Year Cooperation Agreement and the Redevelopment Plan for the Central City Redevelopment Project Area; and
- B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Title to All Interests in Real Property, Including Leaseholds and Easements, Owned by the Redevelopment Agency of the City of Santa Barbara, as Legally Described in Exhibit A Attached Hereto, and Authorizing the Recordation of the Grant Deed in the Official Records, in the Office of the County Recorder, County of Santa Barbara, State of California, to Implement the Provisions Set Forth in the Multi-Year Cooperation Agreement and the Redevelopment Plan for the Central City Redevelopment Project Area.

PUBLIC HEARINGS

23. Subject: Appeal Of The Architectural Board of Review Approval Of The Review After Final Of 336 North Milpas Street (640.07)

Recommendation: That the Council deny the appeal of Tony Fischer on behalf of the Mary Z. Frangos Trust, and uphold the Architectural Board of Review (ABR) approval of the Review After Final of the application of Fresh & Easy Neighborhood Market for changes to an entry tower, entry ramps, doors, and a roof parapet.

MAYOR AND COUNCIL REPORTS

24. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 14, 2011.

(Estimated Time: 4:00 p.m.; Continued from May 24, 2011, Item

No. 19)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

25. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Warner McGrew v. City of Santa Barbara, case number GOL 0101359.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

26. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General and Supervisory bargaining units, and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

To Monday, June 13, 2011, at 1:30 p.m. at 900 Calle de los Amigos. (See Agenda Item No. 18)

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE

MEETING AGENDA

DATE: June 7, 2011 Grant House, Chair TIME: 12:30 p.m. Frank Hotchkiss PLACE: Council Chambers Randy Rowse

Office of the City

Office of the City

Administrator Attorney

Lori Pedersen Stephen P. Wiley Administrative Analyst City Attorney

ITEM FOR CONSIDERATION

Subject: Airport Ordinance Update and Security Program Resolution

Recommendation: That Ordinance Committee:

- A. Review and recommend that the City Council introduce and subsequently adopt an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport; and
- B. Review and recommend that the City Council adopt a resolution of the City of Santa Barbara adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

File Code No. 120.03



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Ordinance Committee

FROM: Airport Department

SUBJECT: Airport Ordinance Update and Security Program Resolution

RECOMMENDATION: That Ordinance Committee:

A. Review and recommend that the City Council introduce and subsequently adopt an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport; and

B. Review and recommend that the City Council adopt a resolution of the City of Santa Barbara adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

DISCUSSION:

Events since 2001, including heightened Airport security requirements and pending completion of the Airline Terminal, make it necessary to update many chapters of Title 18 of the Santa Barbara Municipal Code, which pertains to operations at the Santa Barbara Municipal Airport. Proposed revisions to Title 18 of the Santa Barbara Municipal Code include additions, deletions, and rewrites to all Chapters. Additionally, staff has prepared and recommends adoption of a resolution providing rules and regulations related to Airport security. Significant revisions are proposed in the following subject areas:

Security

Title 18 Chapter 8 currently contains a number of outdated airport security measures. To update and implement the requirements of the federal Departments of Homeland Security (DHS) and Aviation Administration (FAA), staff has drafted a new chapter to add to Title 18 and a new resolution that pertains to activity within restricted areas of the Airport. Chapter 18.10 establishes Airport security requirements applicable to the public. These proposed ordinances build on existing requirements in an effort to codify the basic, more robust security framework at the Airport.

The proposed Resolution creates rules and regulations applicable to individuals granted access to Airport restricted areas. The Resolution would establish standards for

Ordinance Committee Agenda Report Airport Ordinance Update and Security Program Resolution June 7, 2011 Page 2

conduct within Airport restricted areas, use of personnel identification media, and reporting security violations. The resolution also details specific procedures and an appeal process for confiscation, suspension, and revocation of personnel identification media.

Santa Barbara Airport Commercial Ground Transportation Program

Section 18.08.065 was rewritten to establish a framework for a future Santa Barbara Airport Commercial Ground Transportation Program. Proposed language in this section provides for the establishment of program rules and regulations. This section requires that such a program be adopted by Council and updated, as-needed, by the Airport Commission. Additionally, the proposed section allows the Commercial Ground Transportation Program to contain a permit requirement, including the establishment of permit fees. The proposed language also grants the Airport Director authority to enforce the program.

Solicitation on Airport Property

After many years of litigation, the California Supreme Court held that Los Angeles World Airports' ban on solicitation for the immediate receipt of funds in the non-secure airport terminal areas was a reasonable time, place, and manner restriction on the protections of expression guaranteed under the federal and state constitutions. The City's ordinance (Section 18.08.020) has been amended to reflect the language approved by the Court.

Advertising and Camping

Sections 18.08.040 and 18.08.150.D have also been amended for consistency with other provisions of the Santa Barbara Municipal Code.

Firearms

After consultation with the Chief of Police, Section 18.40.040 has been amended to eliminate specific reference to periodic firearms competency testing by the Airport Patrol Supervisor and Airport Patrol Officers. These requirements are more appropriately included in departmental policies. Proposed language also clarifies the "purpose and intent" of Airport Patrol Officers carrying firearms to include both self-defense and defense of others.

<u>Airport Commission Approval of Aeronautical Permits</u>

Section 18.44.075 has been amended to more effectively deal with the issuance of short-term aeronautical permits.

Unenforceable Aviation Regulations

Certain existing provisions in Title 18 pertaining to aviation activities that are regulated and enforced solely by the FAA are proposed for deletion. These provisions include:

- Section 18.08.200 Noise Abatement,
- Chapter 18.12 Flight Pattern,
- Section 18.16.040 Clearance of Base Leg and Final Approach.

Ordinance Committee Agenda Report
Airport Ordinance Update and Security Program Resolution
June 7, 2011
Page 3

Other Title 18 revisions are more clerical in nature. Staff is available to answer any questions that may arise pertaining to all suggested revisions.

Airport Commission Review and Recommendation

On May 18, 2011, the Airport Commission, by a vote of five (5) yes and one (1) abstention, recommended that City Council approve an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport and a resolution adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

ATTACHMENTS: 1. Draft Ordinance

2. Proposed Resolution

PREPARED BY: Jeffrey S. McKee, Airport Maintenance Superintendent

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

ORDINANCE COMMITTEE DRAFT

JUNE 7, 2011
SHOWING CHANGES FROM EXISTING CODE

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 18 OF THE SANTA BARBARA MUNICIPAL CODE PERTAINING TO OPERATIONS AT THE SANTA BARBARA AIRPORT.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 18.04 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.04.010 <u>Definitions Generally</u>. The following <u>For the purpose</u> of this title certain words and <u>phrases</u>, <u>terms are</u> whenever used in this Title, shall have the meaning and be construed as defined in this section as follows in this chapter.

A.18.04.020 Aircraft. "Aircraft" means aAny machine or device capable of flight including, but not limited to, Airplanes, Helicopters, Gliders and Ultralights.

B.18.04.030 Airfield. "Airfield" means that area on the Aircraft operation side of the Airport security perimeter fence including, but not limited to, baggage handling areas, Aircraft parking areas, hangars, gasolinefuel storage areas, perimeter roads, and all areas separated from roadways, sidewalks, buildings and highways by means of fencing, no trespassing signs or lack of evidence of provision of proper facilities for convenient, safe and easy entrance into and around subject land sections and areas, any other specific areas designated by the Airport Director as Airfieldfield areas, or any other area on the Airport not otherwise defined in this chapter.

C.18.04.040 Air Operations Area. "Air operations area" means All portions of the Airport used or intended for use by Aircraft landing, taking-off and surface maneuvering including, but not limited to, Controlled Movement Area, ramps and adjacent unpaved—adjacent areas. The Air Operations Area does not include the Secure Area.

- D.18.04.050 Airplane. "Airplane" means a fixed-wing machine or device capable of flight.
- E.18.04.060 Airport. "Airport" means all of the area comprising the Santa Barbara Municipal Airport, as the same may exist from time to time. The boundaries of the Airport are shown on the Airport Layout Plan adopted by resolution of the City Council as amended from time to time.
- F. Airport-Authorized Escort. A person who has been authorized in writing by the Airport Director to accompany a person in a Restricted Area of the Airport.
- G.18.04.070 Airport Director. "Airport Director" means tThe head of the Airport Department. The Airport Director shall be responsible to and under the direction of the City Administrator. The Airport Director shall also assist the Airport Commission in the performance of its duties to the City Council and shall keep the Airport Commission advised of the affairs of the Airport.
- <u>H.18.04.080</u> Airport Traffic Control Tower. "Air Traffic Control Tower" means aAn Airport traffic control service operated by appropriate authority to promote the safe, orderly and expeditious flow of air traffic on or in the vicinity of the Airport.
- I. Authorized Person. Any individual who has been issued Personnel Identification Media by the Airport Department which allows that individual to gain access to a Restricted Area.
- <u>Movement Area" means</u> The runways, taxiways, and other areas of that portion of the Airfield which are used for taxiing, takeoff, and landing of aircraft, not including aircraft parking areas. where all movements are directed by the Air traffic control tower, when in operation, including all runways, taxiways and adjacent areas.
- <u>K.18.04.100</u> **Glider**. "Glider" means aAn unpowered heavier-than-air Aircraft, that is supported in flight by the dynamic reaction of the air against its lifting surfaces. and whose free flight does not depend principally on an engine.
- L. Hang Glider. A Glider capable of being carried, foot launched and foot landed solely by the energy and use of the pilot's legs, including but not limited to, paragliders.

- M. 18.04.110 Helicopter. "Helicopter" means a rotary-wing machine or device capable of flight.
- <u>N.18.04.120</u> Motor Vehicle. "Motor Vehicle" means any <u>A</u> self-propelled land conveyance that does not run on rails.
- O. Personnel Identification Media. A badge, credential, card, or other media that is issued by the Airport Director to an individual for purposes of allowing an individual to gain access to a Restricted Area.
- P.18.04.130 Restricted Area. "Restricted area" means aAn areas posted to indicate that to which access is limited to persons authorized by the Airport Director and so posted or under Airport-Authorized Escort. A Restricted Area includes, but is not limited to, a Secure Area, Air Operations Area, Security Identification Area, and Sterile Area.
- Q. Secure Area. A portion of the Airport in which certain security measures specified in 49 C.F.R Part 1542 are in effect and where aircraft operators and foreign aircraft operators which have a security program under 49 C.F.R. Part 1544 or 1546 enplane and deplane passengers or sort or load baggage, including any adjacent areas which are not separated by adequate security barriers or measures.
- R. Security Device. A mechanical or electronic device designed to detect, deter or prevent unauthorized access into a Restricted Area.
- S.18.04.140 Security Identification Display Area (SIDA).

 "Security Identification Display Area" means any An area identified by the Airport Director where each person within the area is required to continuously display Personnel Identification Media—Airport-Authorized identification, or be accompanied by an unless the person is under under Airport-Authorized Eescort. This includes all Restricted Areas around the airline terminal used for boarding and servicing of Aircraft of scheduled commercial airlines or used for the loading or sorting of baggage.
- T. Security Vulnerability. An unanticipated change to any system, measure, or procedure relating to Airport security that would diminish the Airport Department's ability to deter or detect unauthorized access to Restricted Areas.

- U. **Sterile Area.** A portion of the Airport to which access is generally controlled by the TSA, or by an aircraft operator under 49 C.F.R. Part 1544, or by a foreign air carrier under 49 C.F.R. Part 1546, through the screening of persons and property.
- V. TSA. The federal Transportation Security Administration of the Department of Homeland Security.
- W. Ultralight. An Aircraft or device which satisfies the definition of an ultralight vehicle found in Title 14 of the Code of Federal Regulations.

SECTION 2. Chapter 18.08 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.08.010 Hours for Public Use.

- A. <u>AIRFIELD HOURS OF OPERATION</u>. The Airfield shall be open for public aviation use twenty-four (24) hours of the day. The Airport Director may restrict use of the Airfield due to the condition of the runway, inclement weather or other <u>like</u> causes in the interest of public safety.
- B. AIRLINE TERMINAL HOURS OF OPERATION. The Airline Terminal shall be open for public use one hour before the first departing commercial airline flight and throughout the day until one hour after the last arriving commercial flight. The Airport Director may restrict the use of the Airline Terminal in the interest of public safety.

18.08.020 Solicitationing.

- A. UNLAWFUL SOLICITATION IN AIRLINE TERMINAL. It shall be unlawful for any person to solicit and receive funds inside the Airline Terminal at the Airport.
- B. UNLAWFUL SOLICITATION IN PARKING AREAS. It shall be unlawful for any person to solicit and receive funds in the parking areas at the Airport.
- C. UNLAWFUL SOLICITATION ON SIDEWALKS. It shall be unlawful for any person to solicit and receive funds on the sidewalk adjacent to the Airline Terminal or the sidewalk adjacent to the parking areas at the Airport.
- A, B, and C apply only if the solicitation and receipt of funds is conducted by a person to or with passers-by in a continuous or repetitive manner. Nothing herein is intended to prohibit the

distribution of flyers, brochures, pamphlets, books, or any other printed or written matter so long as such distribution is not made with the intent of immediately receiving funds, as defined in Subdivision E, at the locations referred to in Subdivision A, B, or C.

E. DEFINITIONS. For the purpose of this Section, the term "solicit and receive funds" means any written or oral request for (1) the donation of money, alms, property, or anything else of value, or, (2) the pledge of a future donation of money, alms, property, or anything else of value, or, (3) the sale or offering for sale of any property upon the representation, express or implied, that the proceeds of such sale will be used for a charitable or religious purpose. It is unlawful for any person to peddle or solicit upon the Airport the sale or lease, or take orders for sale or lease, at retail or wholesale, of goods, wares, merchandise, publications, or anything whatsoever, or for services, without the approval of the Airport Director and without complying with all applicable ordinances of the City.

18.08.030 Business Activity.

It shall be unlawful No person for any person to engage in any business or commercial activity or provide any service on the Airport unless such person has a fixed place of business or a specific operating area assigned by the Airport Director on the Airport which is occupied by virtue of a lease, operating permit, license, or rental agreement with the City of Santa Barbara permitting such activity, as recommended by the Airport Commission, and as required, and approved, if necessary, by the City Council. Sales of aviation equipment made by a person not regularly engaged in the activity of selling aviation equipment shall be exempt from the provisions of this section if the equipment was purchased by such person primarily for his own personal use.

18.08.040 Advertising.

No person It shall be unlawful to erect, repair, alter, relocate or maintain any post, distribute or display signs, commercial advertisements or circulars at within the Airport, or to direct or authorize another person to do so, except pursuant to a sign permit obtained in accordance with Chapter 22.70 of the Santa Barbara Municipal Code unless the sign is specifically exempted from the permit requirements as provided in Chapter 22.70. Signs which are exempt from the permit requirements as provided in Chapter 22.70 and which are located within the Air

Operations Area and which face towards the Airfield, must be approved in writing by the Airport Director prior to their installation. and with the approval of the Airport Director.

18.08.050 Business Tax Not Approval.

The <u>issuance</u> <u>payment</u> of a <u>City</u> business <u>license</u> <u>certificate</u> or <u>the granting of a City</u> building or sign permit <u>shall</u> <u>by the City does</u> not constitute <u>City</u> approval <u>to</u> <u>for</u> solicit <u>or do ing, doing</u> business, <u>engageing</u> in commercial activity, or advertiseing on the Airport.

18.08.060 Off-Airport Car Rental Agencies.

- A. OFF-AIRPORT RENTAL AGENCY PERMITS. GENERALLY Any business entity not having a fixed place of business on the Airport and which offers motor vehicles for rent (or which arranges to rent motor vehicles) to the general public at the Airport may only do so after having obtained an "Off-Airport Rental Agency Permit" from the City (hereinafter such a business entity shall be referred to as an "Off-Airport Rental Agency" or "Agency"). Such permits shall be in a form acceptable to the Airport Director and City Attorney and approved by the City Council.
- B. PAYMENT OF PERMIT FEE TO THE CITY. The Off-Airport Rental Agency Permit shall require the Rental Agency holding such a Permit to pay a monthly fee to the City based on a percentage of the gross receipts generated by the Agency from its operations at the Airport.
- C. OPERATING CONDITIONS. Every Off-Airport Rental Agency shall conduct its business in compliance with all of the terms and conditions of the Off-Airport Rental Agency Permit.

18.08.065 Vehicles for Hire Commercial Ground Transportation Program.

A. RULES AND REGULATIONS. The City Council may adopt such rules and regulations, as recommended by the Airport Commission, which may be necessary to govern the conduct and operation of all commercial ground transportation providers on the Airport. Such rules and regulations shall be called the "Santa Barbara Airport Commercial Ground Transportation Program." For purposes of this Section, the term "Commercial Ground Transportation Providers" includes, but is not limited to, taxicabs, limousines, buses, courtesy shuttles and courier operators (for purposes of this Chapter, "courier operators" shall mean any person transporting property, baggage, or parcels

for business purposes on Airport property and not for use or consumption on Airport property excluding persons transporting property, baggage, or parcels incidental to transporting Airport passengers, commercial air freight, and governmental entities providing ground transportation services at the Airport). The Airport Director shall administer the day-to-day operations of Santa Barbara Airport Commercial Ground Transportation Program. The Airport Director has the discretion to make minor operational adjustments to the Program as needed for the effective operation of the Program. Substantive revisions to Santa Barbara Airport Commercial Ground Transportation Program shall be made by the Airport Commission based upon recommendation of the Airport Director. (a) No person shall operate a vehicle that is carrying passengers for hire from the Airport unless he is the holder of a permit authorizing same by the Airport Director. Permit holders must obtain a business license as required under Section 18.08.030, and will conduct business activity at all times in designated areas assigned by the Airport Director and in accordance with the terms and conditions of the permit.

- (b) Except for discharging passengers, no person shall park, on the Airport, a vehicle used for the purpose of carrying passengers for hire unless he is the holder of a permit authorizing same by the Airport Director.
- B. SANTA BARBARA AIPORT COMMERCIAL GROUND TRANSPORTATION PROGRAM PERMITS.

 The Santa Barbara Airport Commercial Ground Transportation Program may include a requirement that all Commercial Ground Transportation Providers obtain a permit issued by the Airport Director and pay fees in the amounts established by resolution of the City Council. The procedure for the review and approval or rejection of the permit, if required, shall be set forth in the Santa Barbara Airport Commercial Ground Transportation Program.
- **FAILURE** TO COMPLY WITH SANTA BARBARA AIRPORT COMMERCIAL GROUND TRANSPORTATION PROGRAM. The Director, in his or her discretion, may deny, suspend, or terminate a Commercial Ground Transportation Provider permit for failure to comply with the Santa Barbara Airport Commercial Ground Transportation Program rules and regulations or any City, state or federal law. Written notification of the Airport Director's decision to deny, suspend, or terminate a Commercial Ground Transportation Provider permit shall be provided to the Provider at the address stated in the Provider permit application and shall state the date upon which the Provider's permit shall be denied, suspended or terminated. The decision of the Airport Director to deny, suspend, or terminate a Commercial Ground Transportation Provider permit may be appealed

to the Airport Commission. A written notice of appeal shall be filed with the City Clerk within ten (10) days of the date of the Airport Director's written notification to the Provider of the permit denial, suspension or termination. The written appeal filed with the City Clerk shall state the grounds for appeal. The decision of the Airport Commission acting on the appeal shall be final.

D. NO SOLICITATION. (c) No person It shall be unlawful for any person on the Airport to person to ride in a vehicle used for the purpose of carrying passengers for hire, either by driving slowly past a loading entrance of the terminal building or by any other act or utterance calculated to induce that person to engage the vehicle, except that operators of properly permitted vehicles for hire may enter the airline terminal and display a passenger's name or affiliation on an otherwise blank sign no larger than one hundred (100) square inches to assist in identifying a passenger that has made a reservation, in advance, with the operator for ground transport services.

18.08.090 Approval of Airport Director for <u>Aviation</u> Demonstrations.

No person shall:

- A. AVIATION DEMONSTRATION. It shall be unlawful for any person to conduct a public Aircraft—(a) give a flight, or ground or aerial demonstration the Airport, (b) conduct the flight of unlicensed Aircraft on the Airport or (c) bring an Aircraft to the Airport for an aerial demonstration or exhibition on the Airport on the Airport without the prior written approval of the Airport Director.
- B. UNREGISTERED AIRCRAFT. It shall be unlawful for any person to operate an unregistered Aircraft on the Airport, except unregistered Aircraft with temporary authorization required under 14 CFR Part 47.31(b) and Aircraft of the United States Armed Forces. This section does not apply to air carriers or Aircraft sales demonstrations.

18.08.100 Airplanecraft Equipment and Operation Rules.

- <u>A. OPERATIONAL AIRPLANE BRAKES.</u> (a) Except when authorized by the Airport Director, no person it shall be unlawful to shall operate any Airplanecraft on the Airport unless it has an operational tail or nose wheel and wheel brakes.

shall taxi it in such a manner so as not to endanger any persons, buildings, fixtures or other Aircraft.

18.08.130 Removal of Wrecked, or Damaged or Disabled Aircraft.

Aircraft or Helicopter owners, their pilots or agents, shall be responsible for the prompt removal of any wrecked, or damaged or disabled Aircraft or Helicopter, or parts thereof, from any runway or taxiway or areas adjacent to runways or taxiways on the Airport. In the event of an unsafe or emergency condition, the Airport Director may cause the removal of a wrecked, or damaged or disabled Aircraft or Helicopter or any of its parts associated wreckage, from any runways or taxiways or areas adjacent to runways or taxiways at the owner or agent's expense and without liability for damage that may result from such move. without concern for the further damage thereto.

18.08.140 Preservation of Property.

No person shall:

- (a) A. UNLAWFUL DESTRUCTION OF AIRPORT PROPERTY. It shall be unlawful for any person to Destroy, injure, deface or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn or other public property on the Airport.
- B. UNLAWFUL ALTERATION OF AIRPORT BUILDING. It shall be unlawful for any person to (b) Aalter or add to any building on the Airport without first obtaining the express written approval of the Airport Director and all other required permits and approvals.
- <u>C. UNLAWFUL DUMPING ON AIRPORT PROPERTY.</u> It shall be unlawful for any person to (c) <u>M</u>make an excavation, or dump any material on the Airport without express written approval of the Airport Director.
- D. UNLAWFUL INTERFERENCE WITH AIRPORT PROPERTY. It shall be unlawful for any person to (d) linterfere or tamper with, or injure any part of the Airport or its equipment.
- E. UNLAWFUL ABANDONMENT OF PERSONAL PROPERTY.

 De unlawful for any person to (e) Aabandon any personal property or litter on the Airport.

 It shall property or litter on the Airport.

18.08.150 Area Uses.

--- No person shall:

<u>A. UNLAWFUL OBJECTS ON AIRPORT PROPERTY.</u> It shall be unlawful for any person to (a) Or place, store or leave unattended any object, including but not limited to, ladders,

chairs or other equipment, on a road, walkway or Aaircraft tiedown or other area on the Airport without approval of the Airport Director.

- B. UNLAWFUL DEMONSTRATIONS ON AIRPORT PROPERTY. (b) Walk in a picket line as a picket or take part in a labor or other public demonstration on any part of the Airport except a place specifically assigned by the Airport Director so as not to interfere with normal Airport operation or business activity, and in the interest of public safety.
- B. UNLAWFUL UNCOVERED TRASH CONTAINERS. It shall be unlawful for any person to (c) Kkeep uncovered trash containers on the Airport.
- C. UNLAWFUL HAULING. It shall be unlawful for any person to (d) Operate a vehicle for hauling trash, dirt, or any other material on the Airport unless the vehicle is equipped to prevent its contents from dropping, sifting, blowing, leaking or otherwise escaping.
- <u>unlawful for any person to (e) sleep or camp (as that term is defined in Santa Barbara Municipal Code section 15.16.060) or sleep which means, for the purpose of this provision, sleeping on the Airport, including, but not limited to, the Airfield, leased buildings, Motor Vehicles, Aircraft, Helicopters or in field areas for a period of not less than two (2) consecutive hours, without the express written consent of the Airport Director.</u>
- (f) Enter or exit a field area without properly securing vehicle and/or pedestrian gates.
- E. UNLAWFUL STORAGE OF PERSONAL PROPERTY. It shall be unlawful for any person to (g) Sstore items of personal property, including, but not limited to, boats, motorhomes and semi-trailers on the Airport without the express written consentpermission of the Airport Director.

18.08.155 Duty to Notify.

In addition to all other local, state or federal reporting requirements, in the event of a release or threatened release of hazardous materials or other contaminants into the environment relating to or arising out of a person's use or occupancy of the Airport or in the event of any claim, demand, action or notice made against any person regarding a failure or alleged failure to comply with any environmental laws on the Airport, the person shall immediately notify the Airport Director and shall provide the Airport Director with copies of any written claims, demands, notices or actions so made.

18.08.160 Interfering or Tampering with Aircraft.

It shall be unlawful to No person shall interfere or tamper with an Aircraft on the Airport or put the engine in motion, or use any Aircraft, aircraft parts, radios, instruments or tools on the Airport, without the permission of the owner of the Aircraft.

18.08.170 Animals.

- A. ANIMALS PROHIBITED IN AIRPORT AIRLINE TERMINAL AND ON AIRFIELD. It shall be unlawful to enter the Airport airline terminal or Airfield with a domestic or wild animal except for domestic animals allowed in Section 18.08.170.D herein or without the permission of the Airport Director.
- B. HUNTING AND FISHING ON AIRPORT PROPERTY PROHIBITED. It shall be unlawful to hunt or fish on the Airport property.
- C. HORSE RIDING ON AIRPORT PROPERTY PROHIBITED. It shall be unlawful to ride or walk a horse on the Airport property except as necessary to transport such animal by air.

D. PERMITTED DOMESTIC ANIMALS.

- 1. Animals Permitted in Airline Terminal or Airfield. Domestic animals may be allowed in the Airline Terminal and on the Airfield in the following circumstances:
 - (i) an assistance animal for a disabled person;
- (ii) a person entering the Airline Terminal for the purpose of air travel with a domestic animal that is confined within an approved pet transport;
- (iii) a person entering the Air Operations Area, for the purpose of air travel via a private or charter Aircraft, with a domestic animal that is restrained by a leash or is otherwise confined so as to be completely under control; or
- (iv) an animal accompanying a law enforcement officer.
- 2. Domestic Animals Permitted on the Airport Property Except Airline Terminal and Airfield. Domestic animals may be allowed on the Airport property in the following circumstances:
- (i) domestic animals, if the keeping of domestic animals is specifically permitted by an agreement entered into between the City of Santa Barbara and a person or entity for the rental or other occupancy of the Airport property. Such domesticated animals must be at all times restrained by a leash or confined in a kennel or other appropriate enclosure; or
- (ii) domestic animals kept in accordance with Section 6.08.020 of the Municipal Code.

- **E. PROPER DISPOSAL OF ANIMAL WASTE.** All animal waste must be immediately removed from the Airport property and disposed of properly.
- F. ANIMALS MAY BE PROHIBITED BY AIRPORT DIRECTOR. Animals determined by the Airport Director, in his or her absolute discretion, to be an annoyance or a risk to the health and safety of the public shall be immediately and permanently removed from the Airport property.

18.08.180 Commercial Photography.

It No person shall be unlawful for any person to take still or motion photography on the Airport for commercial purposes without first obtaining the express written consent permission from the Airport Director, as well as obtaining all required permits from the City of Santa Barbara, and paying the appropriate fees, if any, as established by a resolution of the Council of the City of Santa Barbara.

18.08.190 Prohibited Uses of Airspace.

It shall be unlawful for any No person except an employee of the United States performing his official duties, or a person who has the permission of the Airport Director, to shall prepare to operate, operate or release a kite, parachute, balloon, model aircraft, rocket or other non-aeronautical airborne objects on the Airport.

18.08.200. Noise Abatement Controlled Movement Area.

Recognizing that the Airport must continue to be a good neighbor to Santa Barbara and adjoining communities, it is a firm policy that aviation activities on the Airport, Aircraft or Helicopter approaching, departing or flying in the pattern, and in addition, Aircraft or Helicopters operating so as to expose noise sensitive areas of these communities to noise or sonic boom (whether or not they use the Airport) shall generate the absolute minimum perceived noise consistent with air safety and effective use of the Airport facilities. To this end:

- (a) Aircraft taxiing and running up engines shall be operated to minimize noise generation;
- (b) Departing turbojet Aircraft making a straight climbout should reach at least two thousand five hundred feet (2,500') mean sea level, using approved noise abatement procedures;

- (c) Power and flap setting for each type of Aircraft for take off and climb out should be such as to produce the least noise consistent with good operating practice;
- d) Aircraft landing should maintain minimum power
 possible (using gear and flap setting to avoid "low drag-in")
 and use maximum glide slope practical;
- (e) Straight in approaches to Runway 25 and straight out departures on Runway 7 shall be avoided except when unusual weather or other conditions so require;
- (f) Over the water approaches and departures shall be used
 as much as possible;
- (g) Aircraft and Helicopters engaged in training and practice flying must adhere strictly to low noise procedures;
- (h) Turboprop and piston Aircraft pleasure and practice flying (including ground reference maneuvers) shall not be conducted below four thousand feet (1,000') above noise sensitive areas in the vicinity of the Airport or the City;
- (i) Turbojet Aircraft pleasure and practice flying shall not be conducted below five thousand feet (5,000') above noise sensitive areas in the vicinity of the Airport or the City;
- (j) Under no circumstances shall turbojet or turboprop Aircraft conduct, or be cleared to conduct, a series of practice instrument landing system approaches, whether or not landing is included.
- (k) Helicopter training activities shall not be conducted on the Airport without approval of the Airport Director. (Ord. 5203, 2001; Ord. 4242, 1983; Ord. 3480 §2(part), 1971.)

A. COMMUNICATION EQUIPMENT WITHIN CONTROLLED MOVEMENT AREA.

- All persons entering or within the Controlled Movement Area shall comply with either of the following requirements:
- <u>1.</u> Be equipped with an operating two-way radio capable of communicating on the Airport's Common Traffic Advisory Frequency and ground control frequency; or
 - 2. be escorted by a person with this capability.
- B. AIRPORT TRAFFIC CONTROL TOWER APPROVAL. At those times when the Airport Traffic Control Tower is operational, except as needed to avoid danger, no person shall enter or move within the Controlled Movement Area without receiving approval from the Airport Traffic Control Tower.
- C. AFTER-HOURS ACCESS TO CONTROLLED MOVEMENT AREA. At those times when the Airport Traffic Control Tower is not operational, all persons entering into or on the Controlled Movement Area must use the Common Traffic Advisory Frequency, shall announce all intended movements and shall perform all movements only when it is safe to do so.

18.08.210 City Responsibilities.

The City, its agents or employees operating the Airport, assume no responsibilities for damage to property stored thereon or property thereon of persons using the Airport facilities, by reason of fire, theft, vandalism, windstorm, flood, earthquake, collision or other cause, nor does it assume any liability by reason of injury to persons while on the Airport or while using the Airport facilities.

SECTION 3. Title 18 of the Santa Barbara Municipal Code is amended by repealing Section 18.08.070 ("Access to Restricted Areas") and Section 18.08.075 ("Security Identification") and Section 18.08.080 ("Display of Security Identification").

18.08.070 Access to Restricted Areas. Except as otherwise provided in this Code, no person shall, without permission of the Airport Director, enter any restricted area on the Airport., except:

- (a) A person assigned to duty at that place;
- (b) An authorized representative of the United States Department of Transportation;
- (c) A passenger who is escorted by an authorized person to
 embark or debark an Aircraft or Helicopter;
- (d) Any other person authorized by the Airport Director to enter restricted or field areas, or by a tenant to enter an area occupied by said tenant. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)

18.08.075 Security Identification.

The issuance of Airport-authorized security identification is at the sole discretion of the Airport Director, and such badges shall remain the property of the Airport and shall be surrendered upon demand or upon termination of the need for access to the Restricted Area(s). (Ord. 5203, 2001.) 18.08.080 Display of Security Identification.

- A. All persons entering the Security Identification Display Area (SIDA) are required to continuously display on their outermost garment valid Airport-authorized security identification, except those persons under the supervision of an Airport authorized escort.
- B. Persons escorting individuals onto the Security Identification Display Area (SIDA) are responsible for the conduct of the escorted person. Escorts shall:
- 1. Continuously display on their outermost garment valid Airport authorized security identification; and

2. Have immediate control of the escorted person at all times. (Ord. 5203, 2001.)

SECTION 4. Title 18 of the Santa Barbara Municipal Code is amended by adding Chapter 18.10 which reads as follows:

18.10.010 Airport Restricted Areas.

- A. AIRPORT RESTRICTED AREAS; GENERALLY.

 Council may adopt by Resolution such rules and regulations as deemed necessary to control access to and conduct within the Airport Restricted Area. Failure to comply with the Restricted Area Rules and Regulations adopted by the City Council shall constitute a violation of this Code and be unlawful.
- B. ACCESS TO AIRPORT RESTRICTED AREAS. Except as otherwise provided in this Code, it shall be unlawful for any person to enter into or to be present inside any Airport Restricted Area without the prior express permission from the Airport Director unless such person is accompanied by Airport-Authorized Escort. Any person given permission by the Airport Director to enter an Airport Restricted Area must enter and exit the Restricted Area through a designated entrance or exit point.
- C. PASSING, THROWING, OR CARRYING OBJECTS INTO AN AIRPORT RESTRICTED AREA. It shall be unlawful for any person to pass, throw, or carry any object into an Airport Restricted Area except objects that are carried through a designated entrance or exit by an Authorized Person or by a person under Airport-Authorized Escort.
- D. VEHICLE ACCESS. Vehicles driven, parked, or stationed in an Airport Restricted Area must have prior authorization granted by the Airport Director or be supervised by an Airport-Authorized Escort. The Airport Director, or the Airport Director's designee, may remove non-authorized vehicles from the Restricted Area at the vehicle owner's expense.

18.10.020 Personnel Identification Media.

- A. ISSUANCE OF PERSONNEL IDENTIFICATION MEDIA. The issuance of Personnel Identification Media is at the sole discretion of the Airport Director. Such media shall remain the property of the Airport and shall be surrendered to the Airport Department upon demand or upon termination of the need for access to the area for which the identification was issued.
- B. MISUSE OF PERSONNEL IDENTIFICATION MEDIA. It shall be unlawful to falsify, forge, counterfeit, alter, or tamper with any Airport issued Personnel Identification Media.

- C. USE Of PERSONNEL IDENTIFICATION MEDIA ISSUED TO ANOTHER PERSON. It shall be unlawful to use or attempt to use the Personnel Identification Media issued to another person for entry into, exit from, or while inside a Restricted Area.
- D. EXPIRED PERSONNEL IDENTIFICATION MEDIA. It shall be unlawful to use or attempt to use an expired Personnel Identification Media for entry into, exit from, or while inside a Restricted Area. Each person in possession of expired Personnel Identification Media shall immediately surrender it to the Airport Director.

18.10.030 Tampering with Security Device

18.10.040 Custody of Keys or Other Means of Access.

Only persons authorized by the Airport Director shall have custody of, access to, or use of keys or other means of access used to lock and secure a Restricted Area. Authorized Persons shall not duplicate or distribute keys or other means used for access to a Restricted Area to anyone without written authorization from the Airport Director.

18.10.050 Unattended Baggage.

It shall be unlawful for any person to leave any bag, luggage, box, or container unattended in any public Airline Terminal areas of the Airport unless authorized by the Airport Director. An item shall be deemed unattended if the item is out of the line of sight or more than thirty five (35) feet away from the person who had possession of the item before it was left unattended. This section does not apply to items left in a baggage claim area by airline or baggage service personnel in the ordinary course of business.

SECTION 5. Title 18 of the Santa Barbara Municipal Code is amended by repealing Chapter 18.12.

18.12.010 Federal Air Traffic Rules.

The applicable air traffic and flight rules of the Federal Aviation Administration contained in Title 14 of the Code of Federal Regulations governing the operation of Aircraft in the City, as the same are currently in effect or as hereafter amended or as modified herein, are adopted by reference and made a part of the air traffic and flight rules of the City as fully as if the same and each and all of them were set forth herein. (Ord. 5203, 2001; Ord. 4242, 1983; Ord. 3480 §2(part), 1971.)

18.12.020 Adherence.

— Strict adherence to the federal air traffic rules and regulations adopted in this title is required. Variance is permitted only when directed by the Air Traffic Control Tower. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)

18.12.030 Traffic Patterns.

Unless otherwise directed or approved by the Air Traffic Control Tower, traffic patterns will be as designated by the segmented circle. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)

18.12.040 Altitudes.

— Altitudes in the traffic pattern will be: one thousand feet (1,000') for small aircraft on downwind leg and fifteen hundred feet (1,500') for large aircraft on downwind leg. As used in this section, the terms "small aircraft" and "large aircraft" are as such terms are defined in Title 14 of the Code of Federal Regulations. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)

18.12.050 Entry and Exit.

Entry to and exit from the traffic pattern shall conform to the traffic pattern diagram or conform to noise abatement procedures for the runway in use. Safe distances shall be maintained between all Aircraft in the pattern and in landing and taking-off. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)

SECTION 6. Chapter 18.16 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.16.010 Cockpit and Engine Run-upsChecks.

All cockpit and engine run-upschecks shall be made in the designated run up areas prior to taxiing into position for take off.

18.16.020 Competent Operator Must be at Controls.

No person shall start or run an engine in an Aircraft on the Airport unless there is a person trained as a pilot or Aircraft mechanic person in the Aircraft at the engine controls. and blocks have been placed in front of the wheels or the Aircraft has adequate parking brakes to prevent movement of the Aircraft.

18.16.030 Caution in Starting Engines.

A. STARTING ENGINES. (a)No person shall It shall be unlawful for any person to start an engine of an Aircraft parked on the Airport in a manner that damages any other property,—or Aircraft, or persons, or that blows paper, dirt or other material across taxiways or runways, so as to endanger the

safety of operations on the Airport.

B. FOREIGN OBJECT DEBRIS. (b)No personIt shall be unlawful for any person to use any material (such as oil absorbents or similar material) in such a manner that creates a hazard of personal injury or property damage when picked up, swirled or blown about by the blast from an Aircraft engine.

18.16.040 Clearance of Base Legs and Final Approach Legs.

Unless the Air Traffic Control Tower is in operation, before taxiing any Aircraft into position on the runway for take off, the runway base legs and final approach legs shall be clear_and, if the Air Traffic Control Tower is being operated, the pilot shall have received clearance from the Air Traffic Control Tower.

18.16.050 Take-offs from End of Runway.

Take-offs shall be made from the end of the runway unless the Airport Traffic Control Tower is in operation and has directed otherwise.

18.16.070 Landings - Fixed-Wing Aircraft.

All landings shall be confined to the hard surface runways and shall be made on the runway designated by the Airport Traffic Control Tower or the proper runway for safe operation as indicated by wind and weather conditions when the tower is not in operation.

18.16.080 Landings - Helicopter and Autogyro.

Helicopters shall avoid flying over the active runways. Helicopters may land in an area designated by the Airport Director or as directed by the Airport Traffic Control Tower, exercising due care with respect to other aircraft and/or people. Autogyros shall land and take-off on the active runway and taxi to the parking area as do fixed-wing Aircraft.

18.16.090 Common Traffic Advisory Frequency.

In the interest of aviation safety during the hours that the Airport Traffic Control Tower is not in operation, all pilots conducting flight operations shall use the $\frac{\text{eCommon}}{\text{aAdvisory}}$ $\frac{\text{ETraffic}}{\text{aAdvisory}}$

18.16.095 Take-offs and Landings Prohibited Outside of the Santa Barbara Municipal Airport - Exceptions.

- (1) A. LANDINGS OUTSIDE AIRPORT PROHIBITED. It shall be unlawful for any person to take-off from or land any Aircraft within the limits of the City of Santa Barbara outside of the Santa Barbara Municipal Airport, except under the following circumstances:
 - (a)1. In emergency situations where it is impossible or impractical for the Aircraft to remain in the air and landing is necessary to avoid greater danger;
 - (b)2. When special permission has been secured from the City Administrator, or other person designated by the City Council of the City of Santa Barbara to grant such permission, in which event such landing and taking-off shall be solely in the area and under the conditions imposed by such public official;
 - $\frac{\text{(c)}}{3.}$ Helicopters landing at officially designated heliports:
 - $\frac{(d)}{4}$. Aircraft while engaged in firefighting, rescue operations or responding to a medical emergency;
 - (2)_For the purpose of this section, the term "Aircraft" does not include:
 - $\frac{(a)15}{a}$ Parachute or other contrivance used primarily as safety equipment;
 -)6. Unpowered Aircraft or device, commonly known as hHang gGliders or paragliders, , whose ability to remain in flight is generated by natural air currents only;
 - (c)7. Military aircraft;
 - (d)8. Law enforcement aircraft.

18.16.100 Motorless Aircraft - Airport Director's Permission.

No motorless Aircraft shall land or take-off at the Airport without prior permission from the Airport Director.

18.16.110 Towing Objects from Aircraft.

No person shall—It shall be unlawful to take-off in an Aircraft towing any object or device, including but not limited to, Gliders and banners, without prior written permission from the Airport Director.

18.16.120 Turbojet and Turboprop Touch and Go Landings Prohibited.

Operators of turbojet and turboprop Aircraft are prohibited

from conducting a series of touch and go practice landings at the Airport without the prior consent of the Airport Director.

18.16.130 Local Helicopter Training Operations.

Local Traffic (for purposes of this Section "Local Traffic" means Helicopters conducting training operations operating in the traffic pattern, within sight of the tower, or Helicopters known to be departing or arriving from flight in local practice areas) Helicopter training operations shall not be conducted on the Airport without the prior written consent of the Airport Director.

SECTION 7. Chapter 18.18 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.18.010 Definitions.

(1) "Hang glider as used in this chapter shall be is any unpowered Aircraft or device including, but not limited to, those devices commonly known as hang gliders or paragliders, whose ability to remain in flight is generated by natural air currents only.

(2) "Inhabited areas used in this chapter shall be any area of land within one hundred feet (100') of any building used as a residence.

(3) "Ultralight as used in this chapter shall be<u>is</u> any Aircraft or device that satisfies the definition of an ultralight vehicle found in Title 14 of the Code of Federal Regulations.

18.18.0120 Prohibitedion of Operations of Ultralights and Hang Gliders.

No person operate an <u>Ultralight</u> over the Airport or within the City of Santa Barbara.

No person It shall be unlawful to operate a hHang gGlider or Ultralight over the Airport or below an altitude of one hundred feet (100') over within one hundred feet (100') of any building used as a residence inhabited area within the City of Santa Barbara.

SECTION 8. Chapter 18.20 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.20.010 Privately Owned Aircraft Parking.

Privately owned Aircraft shall be parked only in the a prescribed tie-down area or in a hangar unless otherwise instructed by the Airport Director. No person It shall be unlawful to park an Aircraft so as to restrict the flow of traffic within tie-down areas or on taxiways.

18.20.020 Proper Tie-Down.

It shall be unlawful to No person shall leave an Aircraft unattended unless it is properly secured or placed in a hangar.

18.20.030 Repair Areas.

It shall be unlawful to No person shallrepair an Aircraft, engine, propeller, or apparatus on the Airport unless the area has been designated for that purpose by the Airport Director; except Aircraft owners may personally perform preventative maintenance on their own Aircraft in their assigned tie-down Preventative Maintenance as used in this areas or hangars. defined activities identified section is as those preventative maintenance in Federal Aviation Regulation Part 43, Appendix A, except the spray application of paints and other similar decorative or protective coatings is prohibited. Aircraft owners personally performing preventative maintenance to their Aircraft must prevent the release of lubricants and other contaminants into the environment and ensure proper disposal of all wastes resulting from Aircraft maintenance activities.

18.20.040 Dismantled, <u>Inoperable Disabled</u>, Parked Aircraft or Parts Thereof.

(a) A. REMOVAL OF INOPERABLE AIRCRAFT. In compliance with Federal Aviation Administration recommendations, the owner of dismantled or inoperable disabled Aircraft, or parts thereof, parked within the Airport, but excluding wrecked, damaged or disabled Aircraft located on or adjacent to a runway or taxiway, that degrade the appearance of the Airport, or tend to give the impression that aviation is inherently unsafe, must remove such Aircraft, or parts thereof, from the Airport within seven (7) days of receipt of written notice from the Airport Director requesting such removal. Texacept that such The Aircraft, or parts thereof, may be removed to a non-public leased facility ies and out of public view subject to approval of the Airport Director.

(b)B. REQUIREMENT TO MOVE PARKED AIRCRAFT. At the request discretion of the Airport Director, in the interest of public safety and to preserve all necessary accesses, the operator, owner or pilot of any Aircraft on the Airport must shall move the Aircraft from the place where it is parked or stored to any other designated place on the Airport. If the owner, pilot or operator refuses to comply with this direction, the Airport Director may move the Aircraft at the owner's expense and without liability for damage that may result from such moveing.

SECTION 9. Chapter 18.24 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.24.010 Complying with Orders.

Each person operating an Aircraft on a part of the Airport that is not under the direction of <u>the Airport</u> Traffic Control <u>Tower</u> shall comply with orders, signals, and directions of <u>anthe</u> authorized representative of the Airport Director.

18.24.020 Engine Blast.

It shall be unlawful to No person shall taxi any Aircraft on the Airport in a place where exhaust blast is likely to cause injury to persons or property. If Aircraft cannot be taxied without violating this section, the operator must have the Aircraft towed to the desired location on the Airport.

18.24.030 Movement of Helicopters.

<u>It shall be unlawful</u> to No person shall move a Helicopter at a place on the Airport while its rotors are turning unless there is a clear area of at least fifty feet (50') from the outer tip of each rotor blade.

18.24.040 Caution.

Pilots shall taxi their Aircraft slowly on the taxiways and parking aprons and exercise extreme caution at all times.

18.24.050 Taxiing Into and Out of Hangars Prohibited.

It shall be unlawful to operate an No Aircraft shall be operated in, or taxied into or out of a hangar.

SECTION 10. Chapter 18.28 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.28.010 General Regulations.

- (a) A. UNLAWFUL OPERATION OF MOTOR VEHICLES ON AIRPORT. It shall be unlawful for any person to operate a Motor Vehicle on the Airport in violation of any provision of this Code, any rule or regulation adopted by resolution of the City Council, or any rule or regulation adopted by the Airport Director pursuant to authority granted under this Code.
- (b)B. MOTOR VEHICLE RULES AND REGULATIONS. The Airport Director is authorized to adopt rules and regulations governing the operation of Motor Vehicles on the Airport consistent with the provisions of this Code.
- (c) C. OPERATION OF MOTOR VEHICLES ON ROADS. It shall be unlawful to operate a Motor Vehicle shall be operated on the Airport except on roadways, parking areas and other hard surfaces that are designated for such vehicles, except service vehicles authorized in writing by the Airport Director and emergency vehicles.
- (d) <u>D.</u> Only vehicles equipped with operating two way radios tuned to ground control frequencies shall be permitted to enter the Controlled Movement Area of the Airfield unless prior permission has been obtained from the Airport Director. Vehicles without two way radios tuned to ground control frequencies must arrange for an escort by a vehicle with ground control communications before permission will be granted to enter the Controlled Movement Area by the Airport Director.
- (e) <u>SERVICE VEHICLE IDENTIFICATION</u>. All authorized service vehicles operating within the Air Operations Area of the Airport must have company identification displayed on both sides of the vehicle, visible and legible from a distance of one hundred (100) feet.
- (f) Motor Vehicles must have clearance from the Air Traffic Control Tower prior to driving on any runway or taxiway.
- (g) E. DESIGNATION OF CONSTRUCTION VEHICLES. All construction vehicles operating within the Air Operations Area shall display an orange and white checkered flag of not less than nine (9) square feet and shall obtain clearance from the Airport Traffic Control Tower when operating within one hundred (100) feet of a runway or taxiway.
- (h)F. NIGHTIME VEHICLE DESIGNATION. All vehicles operating on the Air Operations Area from sunset to sunrise shall operate a rotating amber light beacon or strobe on the roof of the vehicle.

18.28.020 Accident Reporting.

Each operator of a Motor Vehicle involved in an accident between that vehicle and an Aircraft or another vehicle on the Airport shall report such accident fully to the Airport Director as soon as possible after the accident. The report shall include to the greatest extent possible: the date, time and location of the accident; a description of all vehicles or Aircraft involved in the accident, including license or tail numbers; the name of the owners of the vehicles or Aircraft; the names of the vehicle or Aircraft operators and their license numbers; the owners' and operators' insurance carriers; the circumstances of the accident; and a list of any injuries or damages.

18.28.030 Parking.

- (a) A. PAID PARKING AREAS. It shall be unlawful to: No person shall 1. Ppark a Motor Vehicle on the Airport in an area requiring payment for parking unless he pays the required amount is paid. Tor
- 2. PPark a Motor Vehicle in such a manner as to occupy parts of two (2) marked spaces, unless approved by the Airport Director.
- (b) B. NO ABANDONED VEHICLES. It shall be unlawful to No person shall abandon a Motor Vehicle on the Airport.
- (c) C. OBEY SIGNS AND MARKINGS. No person shall It shall be unlawful to park or stand a Motor Vehicle at any place on the Airport in violation of any sign or pavement marking posted by the Airport Director.
- (d)D. NO PARKING WITHIN FIFTEEN FEET OF FIRE HYDRANT. It shall be unlawful to No person shall park or stand a Motor Vehicle within fifteen feet (15') of a fire hydrant on the Airport.
- (e)E. PARKING IN AIR OPERATIONS AREA. No person shall It shall be unlawful to park a Motor Vehicle in the Air Operations Area or in any Aaircraft tie-down area unless authorized by the Airport Director. The Airport Director may authorize an Oowners or operators of an Aircraft stored in a hangar on the Airport tomay park athe Motor Vehicle used to access the Aircraft in an the aircraft hangar while using the Aircraft.
- (g)G. REMOVAL OF UNAUTHORIZED VEHICLES. The Airport Director or his or her designee agent may remove, at the owner's expense, any vehicle parked on the Airport in violation of this Ttitle,

and the vehicle shall be subject to a lien for the cost of removal.

18.28.040 Fire Gates and Equipment.

Motor Vehicles shall be kept clear of gates, entrances and fire equipment at all times.

18.28.060 Reckless Operation.

(a) A. MOTOR VEHICLE OPERATION ON AIRPORT. It shall be unlawful to No person shall operate a Motor Vehicle on the Airport in a negligent or reckless manner or in excess of twenty-five (25) miles per hour or as otherwise posted.

(b) B. MOTOR VEHICLE OPERATION IN AIR OPERATIONS AREA. No person shall It shall be unlawful to operate a Motor Vehicle in the Air Operations Area in a negligent or reckless manner or in excess of fifteen (15) miles per hour or as otherwise posted.

18.28.070 Yield Right-of-Way.

Motor Vehicles on the Airfield shall yield right-of-way to taxiing Aircraft.

18.28.080 Pass to Rear of Aircraft.

Motor Vehicles on the Airfield shall pass to the rear of Aircraft if the Aircraft's engine , the engine of which is running.

18.28.090 Blocking Taxiway.

Gasoline tenders shall not be operated or parked so as to restrict taxiing Aircraft.

18.28.100 Rapid Removal of Gas Tenders.

Gasoline tenders shall not be so positioned as to prevent their rapid removal.

18.28.110 Repairs to Motor Vehicles.

Except as authorized <u>in writing</u> by the Airport Director, <u>or to make minor repairs necessary for the prompt removal of the Motor Vehicle</u>, <u>it shall be unlawful to no person shall</u> clean or make repairs to Motor Vehicles anywhere on the Airport other than designated shop areas. <u>except minor repairs necessary for prompt removal to a proper location</u>.

18.28.120 Obedience to Traffic Control Devices.

Pursuant to sections 21107.8 and 21108 of the California Vehicle Code, aAll roads and parking lots on the Airport are subject to public traffic regulations and control. No pedestrian or person It shall be unlawful to operateing a Motor Vehicle in violation of shall fail to obey any sign, signal or other traffic control device on the Airport. This provision shall not be effective unless appropriate signs giving notice hereof are posted on the roads and in the parking lots.

SECTION 11. Chapter 18.32 of Title 18 of the Santa Barbara Municipal Code shall be amended to read as follows:

18.32.010 Smoking.

No person shall—It shall be unlawful to smoke in any place on the Airport where smoking is prohibited by state law or City ordinance. In addition, it shall be unlawful to no person shall smoke within any baggage claim pavilion, the Security Identification Display Area, any hangar or within one hundred (100) feet of any Aircraft.

18.32.020 Storage.

- (a)A. FIRE HAZARDS PROHIBITED. No person shall It shall be unlawful to store or stack material or equipment on the Airport in any manner that constitutes a fire hazard.
 - (b)B. FLAMMABLE MATERIALS. No person shall It shall be unlawful to keep or store any flammable liquid, gas signal flare, or other similar material in a hangar or other building on the Airport, except that such material may be kept in an Aircraft in proper receptacles, in rooms or areas or in safety cans as approved by the City Fire Chief.
 - (c)C. STORAGE IN HANGARS. Each lessee of a All hangars (or its sub-lessee) on the Airport must be equipped with shall provide suitable metal receptacles, with self-closing covers, for storageing of waste, rags and other rubbish, and all rubbish shall be responsible for the removedal of all rubbish from the hangar leased area.

18.32.030 Cleaning Fluids.

No person shall It shall be unlawful to use a flammable liquid having a flash point of less than one hundred ten degrees Fahrenheit (110 F) to clean an Aircraft or other engine, propeller or appliance on the Airport, unless it is done in the open air or in a room specifically set aside for that purpose. If a room is used, it must be a properly designed, fireproof and ventilated room or building, equipped with automatic sprinklers and adequate and readily accessible fire extinguishing apparatus, and in which all lights, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion proof, spark proof and vapor proof.

18.32.040 Apron Surface Areas and Floor Surfaces.

Each person to whom a space on the Airport is leased, assigned, or made available for use, shall keep the space free and clear of weeds, oil, grease or other foreign materials that could cause a fire hazard or a slippery or otherwise unsafe condition.

18.32.050 Doping Materials.

(a)A. DOPING MATERIAL PROHIBITED EXCEPT AS PROVIDED HEREIN. No person shall It shall be unlawful to apply a doping material on the Airport except in a properly designed, fireproof and ventilated room or building in which all lights, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion proof, spark proof and vapor proof, and in which room or building all windows and doors are easily opened.

(b) B. NO ENTRY INTO AREA WHERE DOPING MATERIAL BEING APPLIED.

No person shall It shall be unlawful to enter or work in a room where doping materials are being used unless the person he is wearing spark proof shoes.

18.32.060 Fueling Operations.

(a) A. AIRCRAFT FUELING RESTRICTIONS. No person shall except as provided in the National Fire Protection Association (NFPA) 407 "Standards for Aircraft Fuel Servicing," it shall be unlawful to fuel or defuel an Aircraft on the Airport while:

- (1)1. The Aircraft Its engine is running;
- (2)2. The Aircraft It is in a hangar or enclosed place;
- (3)3. Passengers are in the Aircraft, unless a passenger loading ramp is in place at the cabin door, the door is open, and a cabin attendant is at or near the door;

- $\frac{(4)}{4}$. Operating a radio transmitter or receiver, or operating electrical switches.
- (b) B. FUELING PRECAUTIONS. No person shall It shall be unlawful to start the engine of an Aircraft on the Airport if there is any gasoline or other flammable liquid on the ground underneath.
- (c) C. BONDING. During the fueling of an Aircraft, the dispensing apparatus and the Aircraft must both be bonded grounded in accordance with the most current version of the National Fire Protection Association (NFPA) 407 "Standards for Aircraft Fuel Servicing." orders and instructions of the Airport Director.
- (d) D. OVERFLOW PREVENTION. Each person engaged in fueling or defueling shall exercise care to prevent the overflow of fuel, and must have readily accessible adequate fire extinguishers.
- (e) E. NO SMOKING. During the fueling or defueling of an Aircraft no person shall, within one hundred feet (100') of that Aircraft, smoke or use any material that is likely to cause a spark or be a source of ignition.
- (f)F. FUELING EQUIPMENT MAINTENANCE. Each hose, funnel or apparatus used in fueling or defueling an Aircraft must be maintained in a safe and non-leaking condition and must be properly grounded to prevent ignition of flammable liquids.
- (g)G. FUELING PROCEDURES. Each person fueling or defueling an Aircraft on the Airport shall comply with the fire safety requirements and the fuel spill procedures set forth presented in the applicable and current version of the Airport Minimum Standards. document adopted by City Council Resolution Number 98-098 and as amended from time to time.

18.32.070 Fire Apparatus.

Each <u>occupant</u> tenant on the Airport shall supply and maintain adequate and readily accessible fire extinguishers, approved by fire underwriters for the hazard involved, that the Airport Director considers necessary.

SECTION 12. Chapter 18.36 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.36.010 Rates and Fees.

Rates and fees charged by the City of Santa Barbara for landing, Airline Terminal use and public parking at the Airport shall be established from time to time by resolution of the City Council after consideration of the recommendations of the Airport Commission.

SECTION 13. Chapter 18.40 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.40.010 Powers of Airport Director.

The Airport Director shall be responsible for the enforcement of the provisions of this $T_{\underline{t}}$ itle.

18.40.020 Issuance of Citations.

For the purposes of enforcing this title, <u>t</u>The Airport Director, and those employees of the Airport Department charged by the Airport Director with enforcement duties, are authorized to issue written notices to appear as provided in Chapter 1.20 of this Code, of Section 853.6 of the California Penal Code, and to issue notices of illegal parking as provided in Section 40202 of the California Vehicle Code.

18.40.030 Carrying Firearms.

The Patrol Supervisor and Airport Patrol Officers may carry firearms while engaged in the performance of their duties. Provided, however, that pPrior to carrying any firearms, the Patrol Supervisor and all Airport Patrol Officers must first satisfactorily complete a course of training in the carrying and use of firearms which meets the minimum standards prescribed by the Commission on Peace Officers Standards and Training. less than once every ninety (90) days, the Patrol Supervisor and all Airport Patrol Officers shall demonstrate their competency in handling firearms in a manner satisfactory to the Chief of Police. Upon being determined to be competent, said Patrol Supervisor and Officers shall be so certified by the Chief of Police for the succeeding ninety (90) day period. The purpose and intent of the authorization to carry firearms provided in this section is to provide a means of self-defense or defense of The use and handling of such weapons shall comply othersonly. all respects with all applicable polices, rules regulations. promulgated by the Airport Commission or City Council.

18.40.040 Penalty.

The violation of any provision of this $\underline{\mathsf{T}}$ title is a misdemeanor and upon conviction thereof shall be punishable by a fine not to

exceed the sum of <u>one thousand</u> five <u>hundred</u> dollars (\$1000500.00), or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment.

SECTION 14. Chapter 18.44 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

18.44.010 Establishment.

There is hereby created and established an Airport Commission for the City of Santa Barbara.

18.44.020 Membership.

The Commission shall consist of seven $\underline{regular}$ (7) members who shall be appointed and serve as follows:

(a)A. REGULAR MEMBER INTERVIEWS. Prior to the appointment of a regular member, the prospective member shall be interviewed by members of the City Council at a public meeting attended by not less than a quorum of the City Council.

APPOINTMENT BY CITY COUNCIL. The seven regular members of the Commission shall be appointed by the City Council. They shall be subject to removal by motion of the City Council adopted by the affirmative votes of a majority of the total membership thereof. The regular members thereof shall serve for terms of four years and until their respective successors are appointed and qualified. The terms for new and existing regular members shall be staggered so that the number of terms on the Commission expiring in any year shall not differ by more than one from the number of terms expiring in any other Such terms shall expire on January first of the appropriate year. A vacancy occurring before the expiration of a term shall be filled by appointment for the remainder of the unexpired term.

(c) <u>C. COMPOSITION OF COMMISSION</u>. No less than <u>four4</u> <u>regular</u> members appointed <u>by the City Council</u> to serve on the Commission shall be residents and electors of the City.

18.44.040 Compensation of Members.

The City Council may by resolution provide for remuneration of Commissioners.

18.44.050 Officers, Record, Quorum.

The Airport Commission shall annually elect one (1) of its

regular members as chairperson, one (1) of its regular members as vice chairperson, and such other officers as it may desire. The chairperson shall not serve more than two (2) consecutive terms of one (1) year each. The Commission shall cause to be kept a complete record of all its proceedings. A majority of the regular members of the Commission shall constitute a quorum for the transaction of all business of the Commission. In the event the City Council delegates the power to approve the execution of any agreement, lease, contract or the expenditure of funds to the Airport Commission, four regular member (4) votes shall be required to pass any action exercising such authority.

18.44.060 Meetings.

The Airport Commission shall meet regularly once a month and at such other times as deemed necessary by the Commission.

18.44.070 Powers and Duties.

The Airport Commission shall have the power and duty to advise the City Council regarding the following:

- $\pm \underline{A}$. APPOINTMENT OF AIRPORT DIRECTOR. The selection and appointment of an Airport Director for the management of the Airport.
- 2B. CONTRACTS, AGREEMENTS AND LEASES. The terms and conditions of all contracts and agreements pertaining to the operation of the Airport, and those leases which have terms for periods of longer than five (5) years or which involve special circumstances as defined in Section 18.44.075 C. Any matter required to be accomplished by ordinance of the City Council under the City Charter shall not be binding upon the City until the effective date of the ordinance adopted by the City Council.
- <u>3C</u>. <u>RULES AND REGULATIONS</u>. The promulgation of rules and regulations related to operation and maintenance of the Airport, including the fixing of rates, tolls, fees, rents, charges, or other payments to be made or received in connection with operation of the Airport.
- $4\underline{D}$. FINANCIAL PLANS AND BUDGETS. The preparation of the financial plan and the budget for the operation of the Airport.
- <u>5E</u>. <u>AIRPORT DEVELOPMENT PLANS</u>. The preparation and submission for approval of the development plans of the Airport.
- **<u>6F. AIRPORT RESOLUTIONS.</u>** The preparation of resolutions regarding matters pertaining to the Airport.

18.44.075 Airport Commission Authority.

- A. AUTHORITY OF AIRPORT COMMISSION TO APPROVE AND AIRPORT DIRECTOR TO EXECUTE LEASES. Pursuant to the authority of Charter Section 812, the Airport Commission shall have the authority to review and approve on behalf of the City, and the Airport Director shall have the authority to execute, those leases, lease amendments, lease extensions, and lease assignments and aeronautical permits of for Airport-owned property or aviation activity which have a lease term of not longer than five (5) years or which do not involve Special Circumstances as defined in Subsection C hereof.
- B. APPEAL. A prospective lessee under a lease or prospective aeronautical permit holder under an aeronautical permit that is denied by the Airport Commission may appeal the action of the Airport Commission denying the lease to the City Council. The procedures for such an appeal shall be as provided in Santa Barbara Municipal Code Section 1.30.050.
- C. SPECIAL CIRCUMSTANCES. The term "Special Circumstances" as used in this Section 18.44.075 shall mean those leases which, in the discretion of the Airport Director or the Airport Commission, involve issues of public interest, including, but not limited to, environmental, land use, or other issues that may be of concern to the general public.

18.44.080 Delegation of Authority by City Council.

The Airport Commission shall have the duty and power in its discretion to submit to the City Council requests for the delegation of authority regarding any or all matters referenced in Section 18.44.070 above.

18.44.090 Continuation of Existing Arrangements.

After the effective date of this ordinance, services provided by City departments and offices to the Airport shall continue to be provided under existing arrangements until such time as the City Council does approve other arrangements.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING RULES AND REGULATIONS PERTAINING TO RESTRICTED AREAS IN THE SANTA BARBARA AIRPORT.

A. AUTHORITY FOR ADOPTION OF RULES PERTAINING TO RESTRICTED AREAS WITHIN THE SANTA BARBARA AIRPORT; DEFINITIONS.

- 1. AUTHORITY. Chapter 18.10 of the Santa Barbara Municipal Code authorizes the City Council to adopt by resolution such rules and regulations as may be necessary to control access to and conduct within those areas of the Santa Barbara Airport designated as Restricted Areas.
- 2. **DEFINITIONS.** The definitions set forth in Santa Barbara Municipal Code Chapter 18.04 are incorporated herein by reference as though set forth in full.
- **B. RESTRICTED AREAS.** Restricted Areas within the Santa Barbara Airport are areas that are posted to indicate that access is limited to persons authorized by the Airport Director or under Airport-Authorized Escort. Restricted Areas include, but are not limited to, Secure Areas, Air Operations Areas, Security Identification Display Areas and Sterile Areas.
- 1. PERMISSION TO ENTER RESTRICTED AREAS. The Airport Director may grant a person unlimited access to a Restricted Area or may grant a person limited access to a specific portion of a Restricted Area. A person who is granted access to all or a part of a Restricted Area shall comply with all of the following restrictions:

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- a. A person who is granted access to a limited portion of a Restricted Area shall not travel outside the boundary established by the Airport Director for that person.
- b. A person shall not leave open, prop open or leave unsecured any door, gate or electronically controlled access point leading to or from a Restricted Area unless a person with Personnel Identification Media for that area continuously monitors the access point. A person's Personnel Identification Media must be utilized to activate the access point for additional time, if needed.
- c. A person, unless conducting an Airport-Authorized Escort, shall not allow other persons to enter or gain access to a Restricted Area.
- d. Personnel Identification Media, or an authorized key, must be utilized to gain access into a Restricted Area.

2. AIRPORT-AUTHORIZED ESCORTS IN RESTRICTED AREAS.

Airport-Authorized Escorts in Restricted Areas shall:

- a. Continuously accompany and monitor the escorted person while within the Restricted Area to ensure that the escorted person is engaged in activities for which escorted access was granted.
- b. Immediately report to law enforcement any unauthorized activity engaged in by an escorted person.
- c. The Airport-Authorized Escort shall at all times while within a Restricted Area have a valid Personnel Identification Media that authorizes the Airport-Authorized Escort entry into the area where the person under escort is being escorted.

- d. The Airport-Authorized Escort may only escort persons into a Restricted Area if the person under escort has employment, business or other reasons, as approved by the Airport Director, for entry into the Area.
- 3. ESCORT INTO SECURITY IDENTIFICATION DISPLAY AREAS. No Airport-Authorized Escort shall escort a person in a Security Identification Display Area if the person under escort has been issued Personnel Identification Media that is valid and that allows access by the escorted person into the Security Identification Display Area to which access is sought.

C. PERSONNEL IDENTIFICATION MEDIA

- 1. USE OF PERSONNEL IDENTIFICATION MEDIA. A person issued Personnel Identification Media by the Airport Director that grants access to a Restricted Area, whether escorted or unescorted, must comply with all requirements of the Santa Barbara Municipal Code and these Rules.
- 2. DISPLAY OF PERSONNEL IDENTIFICATION MEDIA. A person issued Personnel Identification Media by the Airport Director granting access to a Restricted Area shall continuously display such media when within a Restricted Area in a prominent and visible manner on the person's outermost garment and above his or her waist.
- 3. LENDING PERSONNEL IDENTIFICATION MEDIA TO OTHER PERSONS. No person shall permit another person to use or attempt to use his or her Personnel Identification Media within a Restricted Area or to gain entry into, or exit out of, a Restricted Area.

4. PRESENTATION OF PERSONNEL IDENTIFICATION MEDIA ON DEMAND FROM AUTHORIZED PERSONS. A person within a Restricted Area in possession of a Personnel Identification Media shall present it for inspection upon request of any peace officer or other Authorized Person.

D. SUSPECTED SECURITY VIOLATIONS AND VULNERABILITIES; REPORTING.

Authorized persons shall promptly report to the Airport Director or law enforcement agency any suspected Airport security violation or Airport Security Vulnerability that they have knowledge of or observe.

E. PROCEDURES FOR CONFISCATION, SUSPENSION AND REVOCATION OF PERSONNEL IDENTIFICATION MEDIA.

1. CONFISCATION.

- a. The Airport Director may confiscate a person's Personnel Identification Media if the Airport Director has reason to believe that any of the following circumstances to exist:
- i. Confiscation is necessary to protect the health, safety or welfare of the public.
- ii. Personnel Identification Media has been or could be used to commit or facilitate the commission of a crime.
- iii. An undisclosed disqualifying offense pursuant to Transportation Security Regulations, as amended from time to time, exists.
- iv. Failure to present Personnel Identification Media upon request by law enforcement or other Authorized Persons.

- v. The need for unescorted access no longer exists.
- b. Following the confiscation of Personnel Identification Media, the Personnel Identification Media shall be suspended or revoked in accordance with the procedures set forth in E 2 or E 3, respectively, and the holder of the Media shall be notified in accordance therewith by the Airport Director.
- c. Once the Personnel Identification Media is confiscated, it shall not be returned to the holder of the Personnel Identification Media unless any of the following occur: (i) the Airport Director reconsiders the grounds for confiscation and rescinds the notice to suspend or revoke and restores the Personnel Identification Media to the holder, (ii) the confiscated Personnel Identification Media is suspended as provided in Subsection E 2 herein and the term of the suspension expires, or (iii) the confiscated Personnel Identification Media is suspended as provided in E 2 or revoked as provided in E 3 and the holder of the Personnel Identification Media files a timely appeal and the appeal is upheld by the Airport Commission.

2. SUSPENSION.

- a. The Airport Director may suspend a person's Personnel Identification Media, or the privilege granted to a person by the Airport Director to use the Personnel Identification Media, if the Airport Director has reason to believe that any of the following circumstances to exist:
- i. The person knowingly made any false, misleading or fraudulent statement of a material fact in an application for issuance of the Personnel Identification Media or in any report or record required to be filed pursuant to the Municipal Code.

- ii. The person issued the Personnel Identification Media violated a provision of the Municipal Code or these Rules.
- iii. If the person issued the Personnel Identification Media has been issued three or more Notices of Violation in accordance with the Airport Security Enforcement Policy which have been sustained by the Airport Director in the preceding 12 months.
- iv. The Personnel Identification Media has either been confiscated by the Airport Director or, based upon the grounds for confiscation set forth in Subsection D 1, could have been confiscated, pursuant to the provisions of Subsection D 1.
- b. Upon determining that the grounds for suspension of the Personnel Identification Media exist, the Airport Director shall mail or personally deliver a written notice of intent to suspend to the holder of the Personnel Identification Media within 24 hours of the determination to suspend, excluding weekends and holidays, and shall include the following information:
- i. The grounds for suspension of the Personnel Identification
 Media or the privilege to use the media.
- ii. The name, address and telephone number of the agency providing the notice.
- iii. A statement that the holder of the suspended Personnel Identification Media or the privilege to use the media may appeal the Airport Director's determination to suspend the Personnel Identification Media or the privilege to use the media in accordance with the appeal procedures provided in Subsection 4 herein.

- c. The suspension shall become effective five (5) calendar days after the date of the notice of intent to suspend is given as provided above. Within such five-day period, the holder of the Personnel Identification Media may submit a written request for reconsideration of the intent to suspend to the Airport Director. The written request for reconsideration may provide the grounds for reconsideration in writing or it may request a meeting with the Airport Director or the Director's designee. The Airport Director shall consider any such evidence, whether written or oral, and shall either rescind the notice of intent to suspend or impose the suspension on or before the effective date of the suspension. A request for Airport Director reconsideration of the suspension must be filed and denied prior to filing an appeal of the suspension pursuant to Section 4.
- d. The length of time of the suspension shall be determined by the Airport Director in his or her sole discretion.

3. REVOCATION.

- a. The Airport Director may revoke a person's Personnel Identification Media, or the privilege granted to a person by the Airport Director to use the Personnel Identification Media, if the Airport Director has reason to believe any of the following circumstances to exist:
- i. The Personnel Identification Media has either been confiscated by the Airport Director or, based upon the grounds for confiscation set forth in Subsection E 1, could have been confiscated in accordance therewith.
- ii. If the person issued the Personnel Identification Media has been issued four or more Notices of Violation in accordance with the Airport Security

Enforcement Policy which have been sustained by the Airport Director in the preceding 12 months.

- b. Upon determining that the grounds for revocation of the Personnel Identification Media exist, the Airport Director shall mail or personally deliver a written notice of intent to revoke to the holder of the Personnel Identification Media within 24 hours of the determination to revoke, excluding weekends and holidays, and shall include the following information:
- i. The grounds for revocation of the Personnel Identification Media or the privilege to use the media.
- ii. The name, address and telephone number of the agency providing the notice.
- iii. A statement that the holder of the revoked Personnel Identification Media or the privilege to use the media may appeal the Airport Director's determination to revoke the Personnel Identification Media or the privilege to use the media in accordance with the appeal procedures provided in Subsection 4 herein.
- c. The revocation shall become effective immediately after the notice of intent to revoke is given as provided above. Within five calendar days of the date of the notice of intent to revoke, the holder of the Personnel Identification Media may submit a written request for reconsideration of the intent to revoke to the Airport Director. The written request for reconsideration may provide the grounds for reconsideration in writing or it may request a meeting with the Airport Director or the Director's designee. The Airport Director shall consider any such evidence, whether written or oral, and shall either rescind the notice of intent to revoke or impose the

revocation. A request for Airport Director reconsideration of the revocation must be filed and denied prior to filing an appeal of the revocation pursuant to Section 4.

- d. The holder of the revoked Personnel Identification Media shall be eligible to reapply to the Airport Director for issuance of Personnel Identification Media one year after the date of the revocation of the Personnel Identification Media.
- 4. APPEAL. A decision by the Airport Director to suspend or revoke Personnel Identification Media pursuant to this Resolution shall be appealable to the Airport Commission. Any such appeal must be filed in writing with the Airport Director within five (5) calendar days of the date that the Airport Director rules on a request for reconsideration submitted in accordance with E 2 or E 3, respectively. Unless the Personnel Identification Media has been confiscated, or the Airport Director determines that immediate suspension or revocation of the Personnel Identification Media, or the privilege to use the media, is necessary for the immediate preservation of the public health, safety or welfare, the suspension or revocation shall be stayed while the appeal is pending. The appeal shall be filed in writing and shall specify all of the grounds for the appeal. The Airport Commission shall provide the appellant with an opportunity to present evidence on his/her behalf. Formal rules of evidence or procedure need not be followed. The decision of the Airport Commission on the appeal shall be final. If the appeal is denied, the suspension or revocation shall become effective immediately.
- **F. COMPLIANCE**. A person granted access into the Restricted Areas must comply with all provisions of the Santa Barbara Municipal Code, these Rules and Regulations, as may be amended from time to time, and all current and future security directives issued under federal law. A person failing to comply with the Municipal Code

or these Rules and Regulations shall be subject to prosecution for violation of the Municipal Code as provided therein. Such person may also be subject to prosecution under federal and state law.



WHEREAS, the United Nations has designated June 8, 2011, as World

WHEREAS, Santa Barbara's connection to the sea is enhanced by the presence of the Channel Islands National Marine Sanctuary (CINMS), which protected our marine treasures in 1,470 square miles of ocean surrounding Anacapa, Santa Cruz, Santa Rosa, San Miguel, and Santa Barbara Islands since 1980; and

WHEREAS, the CINMS provides education and outreach opportunities to residents and students throughout the region, including the enrichment of science, math, and other programs in our K-12 schools, community colleges. and universities; and

NOW, THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby declare June 8, 2011 as WORLD OCEANS DAY in Santa Barbara, CA.

> IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara. California, to be affixed this 7th day of June 2011.

> > HELENE SCHNEIDER

Mayor

Agenda Item N	0
File Code No.	410.01



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through June 30, 2011.

DISCUSSION:

Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years or service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through June 30, 2011.

ATTACHMENT: June 2011 Service Awards

SUBMITTED BY: Marcelo Lopez, Assistant City Administrator

APPROVED BY: City Administrator's Office

JUNE 2011 SERVICE AWARDS

June 7, 2011 Council Meeting

5 YEARS

Alison Grube, Graphic Designer, Community Development
Peter Lawson, Associate Planner, Community Development
Gloria Shafer, Commission Secretary, Community Development
Jay Benson, Police Officer, Police
Michael Epstein, Police Officer, Police
Andrew Merrett, Police Officer, Police
Andy Radujko, Police Officer, Police
Matthew Lombardi, Wastewater Collection System Operator II, Public Works
Tom Mozako, Sr. Wastewater Collection Systems, Public Works
Gerardo Lopez, Wastewater Treatment Plant Operator II, Public Works
Linda Morris, Library Assistant I, Library
Guadalupe Castillo, Custodian, Library

10 YEARS

Renee Brooke, Senior Planner II, Community Development Richard Ames, Fire Engineer, Fire (Rich) Alejandro (Alex) Mayorga, Fleet Services Supervisor, Public Works Anthony Glover, Water Distribution Operator II, Public Works Olga Montoya, Grounds Maintenance Worker II, Parks and Recreation Dana Versola, Sr Grounds Maintenance Worker, Parks and Recreation

25 YEARS

Michael Cano, Meter Reader Supervisor, Public Works (Mike)

30 YEARS

John Bridley, Waterfront Director, Waterfront



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING APRIL 27, 2011 SANTA BARBARA SCHOOL DISTRICTS ADMINISTRATION CENTER 720 SANTA BARBARA STREET

JOINT CITY COUNCIL AND SANTA BARBARA BOARD OF EDUCATION MEETING (150.05)

1. Call to Order and Roll Call

Santa Barbara Board of Education President Annette Cordero called the joint meeting of the City Council and the Board to order at 1:45 p.m.

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Helene Schneider. Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley.

Board Members present: Susan Deacon, H. Edward Heron, Monique Limón, Kate Parker, President Cordero.

Board Members absent: None.

Staff present: Superintendent J. Brian Sarvis.

2. Pledge of Allegiance

Board President Cordero.

3. Spanish Translation/Traduccion en Espanol and Headsets for Hearing Impaired

Alma Flores stated she was available for Spanish translation.

(Cont'd)

4. Presentation - Students

Speakers:

Santa Barbara School Districts: Roosevelt Elementary School Principal Dr. Ronzone, Superintendent Brian Sarvis.

Discussion:

Staff spoke about the Elementary School Music Program. Roosevelt Elementary School 4th graders performed the songs "Old MacDonald had a Farm" and "Twinkle, Twinkle Little Star" for the Board and Council.

5. Public Comments

Speakers: Kate Smith.

6. Statement of Purpose for Joint Meeting

Board President Cordero stated that the purpose of the joint meetings of the Board and the City Council are to improve communication, and to expand collaborative programs and the sharing of facilities to better serve the community. Mayor Schneider added that it's a great opportunity for both agencies to work together on goals pertaining to the children of City residents.

Agenda Item Nos. 7 - 13

Board President Cordero stated that Agenda Item Nos. 7 - 13 are based on written reports and asked if anyone had questions regarding these items. Questions were asked regarding Item Nos. 9 and 13.

7. Update on Joint City/School District Programs and Agreements

Documents:

April 27, 2011, written report prepared by Sarah Hanna, City Recreation Programs Manager, and David Hetyonk, School Districts' Director of Facilities and Operations, on behalf of the Joint Use Committee, regarding the following subjects:

- Field Scheduling and Monitoring
- Field Maintenance
- Afterschool Programs
- Ranger Program

8. Report on Renewal of the Agreement for Joint Use, Programming, Maintenance, and Development

Documents:

April 27, 2011, written report prepared by Sarah Hanna, City Recreation Programs Manager, and David Hetyonk, School Districts' Director of Facilities and Operations.

9. Update on the Status of School Resource Officer at Santa Barbara High School

Documents:

April 27, 2011, written report prepared by Frank Mannix, Deputy Police Chief.

Speakers:

- City of Santa Barbara Staff: City Administrator James Armstrong.
- Member of the Public: Kate Smith.

10. Report on School Districts and City Collaboration on Foodscraps and Recycling

Documents:

April 27, 2011, written report prepared by Matt Fore, City Environmental Services Manager, and Brian Tanguay, School Districts' Purchasing Coordinator.

11. Parcel Tax

Documents:

April 27, 2011, written report prepared by Barbara Keyani, School Districts' Coordinator of Administrative Services and Communication.

12. Report of Measure Q2010 and Measure R2010 Projects

Documents:

April 27, 2011, written report prepared by David Hetyonk, School Districts' Director of Facilities and Operations.

13. Update on Twelve 35 Teen Center

Documents:

April 23, 2011, written report prepared by Edward Szeyller, Executive Director of the Santa Barbara Police Activities League (PAL), on the status of the Twelve35 Teen Center.

Speakers:

- Santa Barbara Police Activities League: Edward Szeyller, Executive Director
- Member of the Public: Kate Smith.

14. Presentation on Response to State Budget Crisis and Economic Crisis

Documents:

April 23, 2011, PowerPoint presentation prepared and made by City Finance Director Robert Samario.

Speakers:

- Santa Barbara School Districts Staff: Deputy Superintendent Eric Smith, Superintendent J. Brian Sarvis.
- City of Santa Barbara Staff: Finance Director Robert Samario.

Discussion:

School Districts Staff discussed the Districts' structural deficit and spoke about Governor Brown's proposed budget, which is based on the extension of temporary taxes that are set to expire on June 30, 2011. He also discussed the Districts' historical budget cuts and reserves, and presented a summary of the 2010-2011 budget cuts. City Staff presented the City's proposed Fiscal Year 2012 budget for the General Fund, including key revenues by category and expenditures by Department. Staff also spoke about how the City proposes to balance the budget, and its long-term strategy and challenges. Council and Board members'; questions were answered.

15. Report on Career-Technical Programs

Documents:

April 23, 2011, written report on Career-Technical Programs prepared by Cynthia White, Ph.D., Director of Curriculum and Categoricals.

Speakers:

Santa Barbara School Districts Staff: Cynthia White, Ph.D., Career Technical Education Pathways; Marcene Newman, Director of the Health Academy.

(Cont'd)

15. (Cont'd)

Discussion:

Staff spoke about the Districts' Career Technical Education Pathways program, and provided more detail about the Transportation Pathway. Staff also provided an update on the Health Academy. Council and Board members made comments, and their questions were answered.

16. Update on Gang Prevention and Intervention

Speakers:

- City of Santa Barbara Staff: City Administrator James L. Armstrong.
- South Coast Task Force on Youth Gangs: Dr. Gus Frias.
- School Board Districts Staff: John Becchio, Santa Barbara Junior High School; Mark Fidel and Tammy Hogan, CORE Program at Santa Barbara Junior High School.

Discussion:

City Staff spoke about the City's leadership role on the issue of gang violence and the collaboration between the education community, county schools, law enforcement, probation, and nonprofit groups. He also spoke about Cal GRIP Grants and funding for various efforts, including the ability to hire a full-time coordinator. Dr. Frias spoke about a recent meeting where approximately 100 participants gathered to discuss State-required school safety plans, gang prevention and intervention. School Board Staff spoke about the CORE Program, played a video presentation, and talked about a 10th grade student who just made the Dean's honor list at his high school.

17. Update on the Search for a New Superintendent

Discussion:

Board President Cordero and Board Vice-President Deacon spoke about the process to hire a new superintendent, including the hiring of a consulting firm. The firm conducted a series of meetings with a broad variety of people to provide input on what characteristics the new superintendent should have. The Board used the information to prepare its list of desired characteristics, which has been posted to the School Board's website. The application period will close on April 30, and on May 21, the Board will meet to select five or six candidates who will be invited for an interview. The interviews will take place on May 25 and May 26, and the Board hopes to have a final decision by mid-June.

18. Additional Matters for Placement on a Future Agenda

Discussion:

Mayor Schneider suggested inviting Santa Barbara Partners in Education Executive Director Ben Romo and Development and Membership Director Michelle Magnusson to make a presentation about volunteer coordination. Councilmember House said he enjoyed being exposed to the various enrichment opportunities and would like to continue having these types of items on the agenda. Board Vice-President Deacon mentioned that the Santa Barbara Education Foundation is another group that plays a large role in helping our schools, and that Dr. Brian Sarvis and Dr. Virgil Elings are the recipients of its 2011 HOPE Awards, which will be given on May 14.

The Board of Education meeting was adjourned at 3:45 p.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:45 p.m.

SANTA BARBARA CITY COUNCIL	SANTA BARBARA CITY CLERK'S OFFICE
AT	TEST:
HELENE SCHNEIDER	BRENDA ALCAZAR, CMC

DEPUTY CITY CLERK

MAYOR



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING MAY 5, 2011, 4:00 P.M. SANTA BARBARA MUNICIPAL AIRPORT, 500 FOWLER ROAD

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 4:00 p.m.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Randy Rowse, Bendy White, Mayor

Schneider.

Councilmembers absent: Dale Francisco, Grant House, Michael Self.

Staff present: City Administrator James L. Armstrong.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, April 28, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

SITE VISIT

Subject: Airport Terminal Construction Site

Recommendation: That Council take a tour, with the Goleta City Council, of the Airport Terminal Construction Site.

Speakers:

Staff: Airport Director Karen Ramsdell, Project Engineer Leif Reynolds.

Discussion:

Staff led the Councilmembers on a tour of the new airline terminal construction site. The Councilmembers' questions were answered.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:00 p.m.

SANTA BARBARA CITY COUNCIL SANTA BARBARA

CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER MAYOR BRENDA ALCAZAR, CMC DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING May 9, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco (6:04 p.m.), Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, May 5, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

Subject: Proposed Two-Year Financial Plan For Fiscal Years 2012 And 2013 (230.05)

Recommendation: That Council hear a presentation from the Parks and Recreation Department on its recommended budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2012 and 2013.

Documents:

- May 9, 2011, report from the Finance Director.
- May 9, 2011, PowerPoint presentation prepared and made by Staff.
- May 9, 2011, document entitled "Elings Park Tennis Center, 2011 Brief Overview," submitted by Steen Hudson.

Public Comment Opened (Continued from May 5, 2011): 6:01 p.m.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp, Creeks Restoration/Clean Water Manager Cameron Benson, Assistant Parks and Recreation Manager Jill Zachary, City Administrator James Armstrong, Parks Manager Santos Escobar.
- Santa Barbara Police Activities League (PAL): Executive Director Edward Szeyller.
- Elings Park Foundation: Executive Director Steen Hudson.
- Parks and Recreation Commission: Commissioner Lesley Wiscomb.
- Golf Advisory Committee: Maureen Masson, Chair Dominic Namnath, Elaine Abercrombie.
- Members of the Public: Charlie Trentacosti; Chris Talerico, Santa Barbara Golf Club, Pro Shop Concession.

Discussion:

Parks and Recreation Director Nancy Rapp provided an overview of the Parks and Recreation Department, key service changes, and accomplishments, including completion of the Carrillo Recreation Center renovation project. Parks and Recreation Department Staff presented the Department's proposed budget for Fiscal Year 2012, including the Creeks Fund, General Fund, and Golf Fund. Councilmembers provided feedback and Staff responded to their questions.

By consensus, the public hearing was continued to Thursday, May 12, 2011, at 9:00 a.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 8:05 p.m.

SANTA BARBARA CITY COUNCIL SANTA BARBARA

CITY CLERK'S OFFICE

_____ATTEST:_____

HELENE SCHNEIDER MAYOR BRENDA ALCAZAR, CMC DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 10, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:00 Noon. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco (2:02 p.m.), Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring May 9-13, 2011 As Girls Incorporated - Girls Inc. Week (120.04)

Action: Proclamation presented to Girls Incorporated Executive Director Monica Spear.

PUBLIC COMMENT

Speakers: Ruth Wilson; Lee Moldaver, Citizens Planning Association; Robert Burke; Geof Bard.

ITEMS REMOVED FROM CONSENT CALENDAR

5. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2012 For The Wildland Fire Suppression Assessment (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Levy Assessments for Fiscal Year 2011-2012; and Establishing a Time of 2:00 P.M. on Tuesday, May 24, 2011, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Documents:

- May 10, 2011, report from the Fire Chief.
- May 10, 2011, Proposed Resolution.

The title of the resolution was read.

Councilmembers Hotchkiss, House and White stated they would not vote on this item due to conflicts of interest related to their ownership of, or residence at, properties located within the subject assessment district.

Motion:

Councilmembers Francisco/Rowse to approve the recommendation; Resolution No. 11-025.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Hotchkiss, House, White).

6. Subject: 2915 De La Vina Street - Appeal of Planning Commission Decision (640.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Making a Decision and Expressing Certain Findings Concerning an Appeal From a Decision of the City Planning Commission Regarding an Application for a Medical Marijuana Dispensary Permit for a Storefront Dispensary Located at 2915 De La Vina Street Pursuant to the Requirements of Santa Barbara Municipal Code Chapter 28.80.

Documents:

- May 10, 2011, report from the City Attorney.
- May 10, 2011, Proposed Resolution.

(Cont'd)

6. (Cont'd)

The title of the resolution was read.

Motion:

Councilmembers Hotchkiss/Rowse to approve the recommendation; Resolution No. 11-026.

Vote:

Majority roll call vote (Noes: Councilmember House, Mayor Schneider).

CONSENT CALENDAR (Item Nos. 2 - 4, and 7 - 11)

The titles of the ordinance and resolutions related to the Consent Calendar items were read.

Motion:

Councilmembers White/House to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 19, 2011.

Action: Approved the recommendation.

3. Subject: Introduction Of An Ordinance To Amend Adopted Plumbing Code (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 22.04.030 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code Concerning Local Amendments to the California Plumbing Code.

Action: Approved the recommendation (May 10, 2011, report from the Assistant City Administrator/Community Development Director; proposed ordinance).

4. Subject: Parking And Business Improvement Area Annual Assessment Report, Fiscal Year 2012 - Intention To Levy (550.10)

Recommendation: That Council:

A. Approve the Parking and Business Improvement Area (PBIA) Annual Assessment Report, Fiscal Year 2012; and

(Cont'd)

4. (Cont'd)

B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2012 Fiscal Year at a Public Hearing to be Held on June 7, 2011, at 2:00 p.m.

Action: Approved the recommendations; Resolution No. 11-024 (May 10, 2011, report from the Public Works Director; proposed resolution).

7. Subject: Public Hearing For Amendment To 2008 Disaster Recovery Initiative Program Funding Application (610.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving an Amendment to Application for Funding and the Execution of a Grant Agreement and Any Amendments Thereto from the 2008 Disaster Recovery Initiative Fund Allocation of the State Community Development Block Grant Program.

Action: Approved the recommendation; Resolution No. 11-027 (May 10, 2011, joint report from the Airport Director, the Public Works Director, and the Assistant City Administrator/Community Development Director; proposed resolution).

8. Subject: Access And Use Permit With ProDIGIQ, Inc. (560.02)

Recommendation: That Council find it is in the City's best interest to waive the formal bid process as authorized in Municipal Code Section 4.52.070 (k) and authorize the Airport Director to execute an Access and Use Permit with ProDIGIQ, Inc., as the single source and most favorable source for providing the City with Flight Information Display and Baggage Information Display systems for the new Airline Terminal in an amount not to exceed \$59,900.

Action: Approved the recommendation (May 10, 2011, report from the Airport Director).

9. Subject: Homeless Prevention And Rapid Re-Housing Agreement Amendments (660.04)

Recommendation: That Council authorize the amendment of the following City of Santa Barbara Homeless Prevention and Rapid Re-Housing Collaborative agreements: Casa Esperanza, No. 23,209; Transition House, No. 23,210; Catholic Charities, No. 23,211; and Legal Aid Foundation, No. 23,213.

Action: Approved the recommendation (May 10, 2011, report from the Assistant City Administrator/Community Development Director).

10. Subject: Contract For Water Quality Monitoring Services (540.10)

Recommendation: That Council authorize the Waterfront Director to execute, subject to approval by the City Attorney, a five-year agreement between the City and Science Application International Corporation for Water Quality Monitoring Services for the Waterfront Department, in an amount not to exceed \$92,005 over the term of the contract; and authorize the Waterfront Director to approve expenditures of up to \$9,200 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 23,768 (May 10, 2011, report from the Waterfront Director).

NOTICES

11. The City Clerk has on Thursday, May 5, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee heard a report on the status of the budget for Fiscal Year 2011, as of March 31, 2011, and voted to forward staff's recommendations for changes in appropriations to the full Council (Agenda Item No. 13). The Committee also discussed proposed fee increases for Fiscal Year 2012 and recommended that they be forwarded to the full Council, with the exception of solid waste fee increases, which will be discussed further at the Council meeting on May 12.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Grants To Housing Authority For Rehabilitation Of Three Affordable Housing Projects (660.04)

Recommendation: That Council approve three grants to the Housing Authority of the City of Santa Barbara in a total amount not to exceed \$850,000 from Housing Rehabilitation Loan Program repayment funds for needed repairs to three Housing Authority projects located at 418 Santa Fe Place, 521 N. La Cumbre Road, and 2941 State Street, and authorize the Assistant City Administrator/Community Development Director to execute grant agreements in a form acceptable to the City Attorney.

(Cont'd)

12. (Cont'd)

Documents:

May 10, 2011, report from the Assistant City Administrator/Community Development Director.

Speakers:

Staff: Housing Programs Supervisor Steven Faulstich.

Motion:

Councilmembers House/White to approve the recommendation; Agreement Nos. 23,769 - 23,771.

Vote:

Unanimous voice vote.

FINANCE DEPARTMENT

13. Subject: Fiscal Year 2011 Third Quarter Financial Review (250.02)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget as of March 31, 2011;
- B. Accept the Fiscal Year 2011 Interim Financial Statements for the Nine Months Ended March 31, 2011;
- Approve an increase in appropriations to the Fire Department in the amount of \$850,000 to cover projected overtime costs in excess of budget;
- D. Approve an increase in appropriations in the City Attorney's Office budget in the amount of \$54,000 to cover several unbudgeted and unexpected costs; and
- E. Approve an increase in estimated transient occupancy tax revenues by \$904,000 to cover the increases to appropriations in the Fire Department and City Attorney's Office budgets.

Documents:

May 10, 2011, report from the Finance Director.

Speakers:

Staff: Finance Director Robert Samario, City Administrator James Armstrong.

Motion:

Councilmembers House/Francisco to approve the recommendations.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember House reported that the Committee on Legislation has been meeting to update the Legislative Platform, which should be finalized and forwarded to the full Council in a couple of weeks. He added that the main theme of the Platform is local control.
- Mayor Schneider mentioned that she went to a Common Ground meeting in Los Olivos yesterday to hear results of the Vulnerability Index. She has asked Staff to check into obtaining a customized version of the data for the City of Santa Barbara so that it can be forwarded to the Committee on Homelessness and Community Relations and Councilmembers.

RECESS

Mayor Schneider recessed the meeting at 2:46 p.m. in order for the Council to reconvene in closed session; no report is anticipated.

CLOSED SESSIONS

14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Santa Barbara Patients' Collective Health Cooperative v. City of Santa Barbara, et al. USDC Case No. CV 10-6534 DDP (RCx), and The Green Light Dispensary, Inc., A California Non-Profit Mutual Benefit Corporation, v. City of Santa Barbara, USDC Case No. CV 10-7203 DDP (RCx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 10, 2011, report from the City Attorney.

Time:

2:50 p.m. - 3:30 p.m. (Councilmember House was absent when the Council reconvened and returned to the meeting at 2:52 p.m.)

No report made.

15. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from May 3, 2011, Item No. 13)

Documents:

May 3, 2011, report from Mayor Schneider.

Time:

3:30 p.m. - 4:00 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:00 p.m. in memory of Arent H. "Barry" Schuyler.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA CITY CLERK'S OFFICE

	ATTEST:
HELENE SCHNEIDER	BRENDA ALCAZAR, CMC
MAYOR	DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING MAY 12, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 9:10 a.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco (9:11 a.m.), Frank Hotchkiss, Grant House, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: Randy Rowse.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, May 5, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

Subject: Proposed Two-Year Financial Plan For Fiscal Years 2012 And 2013 (230.05)

Recommendation: That Council hear a presentation from the Airport and Waterfront departments and Finance's Solid Waste division on the recommended budgets as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2012 and 2013.

Documents:

- May 12, 2011, report from the Finance Director.
- May 12, 2011, PowerPoint presentations prepared and made by Staff.

Public Comment Opened (Continued from May 9, 2011): 9:10 a.m.

Speakers:

- Staff: Airport Director Karen Ramsdell, Assistant Airport Director Hazel Johns, Airport Operations Manager Tracy Lincoln, City Administrator James Armstrong, Waterfront Director John Bridley, Waterfront Business Manager Scott Riedman, City Attorney Stephen Wiley, Waterfront Facilities Manager Karl Treiberg, Harbor Operations Manager Mick Kronman, Finance Director Robert Samario, Environmental Services Manager Matt Fore.
- Harbor Commission: Betsy Cramer.
- Members of the Public: Stephen MacIntosh, Allied Waste Services General Manager.

Discussion:

Airport Department Staff discussed the Department's mission and provided an overview of its Enterprise Fund, programs, objectives and budget strategy. Staff also discussed a proposed parking rate adjustment, projected revenues and expenditures, capital projects and key performance objectives.

Waterfront Staff provided an overview of the Department's organization, revenues and expenditures. They also discussed recommended adjustments to slip fees, discontinuance of its disabled placard parking discount, which is a result of the new self-serve Luke Parking System, its Capital Improvement Program, budget reserve requirements, and key performance objectives.

(Cont'd)

Proposed Two-Year Financial Plan For Fiscal Years 2012 And 2013 (Cont'd)

Discussion (Cont'd):

Finance Department Staff made a presentation on the Solid Waste Fund, including the program's mission statement, key functions and activities, and Council's 2002 direction as it pertains to the program. Staff presented an overview of the proposed budget for Fiscal Year 2012, including financial challenges, staffing reductions, and proposed rate increases. Staff also discussed key projects, initiatives and key performance objectives. Councilmembers' questions were answered.

Councilmember House left the meeting at 12:13 p.m.

By consensus, the hearing was continued to May 16, 2011, at 6:00 p.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 12:37 p.m.

SANTA BARBARA CITY COUNCIL	SANTA BARBARA CITY CLERK'S OFFICE	

ATTEST:

HELENE SCHNEIDER MAYOR BRENDA ALCAZAR, CMC DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING May 16, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy

Rowse, Bendy White, Mayor Schneider. Councilmembers absent: Michael Self.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley,

Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, May 12, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

Subject: Proposed Two-Year Financial Plan For Fiscal Years 2012 And 2013 (230.05)

Recommendation: That Council hear a presentation from the Police Department on its recommended budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2012 and 2013.

(Cont'd)

Subject: Proposed Two-Year Financial Plan For Fiscal Years 2012 And 2013 (Cont'd))

Documents:

- May 16, 2011, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.
- May 16, 2011, memorandum from Police Lieutenant James Pfleging.

Public Comment Opened (Continued from May 12, 2011): 6:02 p.m.

Speakers:

- Staff: Police Chief Camarino Sanchez, Deputy Police Chief Frank Mannix, Police Captain Alex Altavilla, Police Captain Armando Martel, City Administrator James Armstrong.
- Members of the Public: Rick Feldman, Milpas Community Association; Dave Hopkins; Jason McCarthy and Tony Romasanta, Greater Santa Barbara Lodging & Restaurant Association; Holly Walters; Rev. Douglas Miller, Interfaith Initiative; Eric Beecher, Santa Barbara Police Officers Association; Sharon Byrne and Bruce Giffin, Milpas Community Association; Laura Ronchietto; Dorothy Littlejohn; Alba Vargas; Miguel Ramirez; Suzanne Riordan; Geof Bard; John Dixon, Milpas Community Association; E. Onja Brown Lawson; Dave Lombardi; Mark Whitehurst, Downtown Organization.

Discussion:

Police Chief Sanchez and other Staff presented overviews of the Police Department's staffing and functions by division. Deputy Police Chief Mannix discussed response times, crime trends, the department's appropriations and revenues, the distribution of sworn personnel, and department "strength." He also explained the origin and philosophy of the Beat Coordinator Unit and described a proposal for the enhancement of Restorative Policing. Councilmembers' questions were answered.

By consensus, the public hearing was continued to May 23, 2011, at 6:00 p.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 8:46 p.m.

SANTA BARBARA CITY COUNCIL SANTA BARBARA CITY CLERK'S OFFICE

	_ATTEST:
HELENE SCHNEIDER	SUSAN TSCHECH, CMC
MAYOR	DEPUTY CITY CLERK

Agenda Item No.__

File Code No. 250.02



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2011 Interim Financial Statements For The Ten Months

Ended April 30, 2011

RECOMMENDATION:

That Council accept the Fiscal Year 2011 Interim Financial Statements for the Ten Months Ended April 30, 2011.

DISCUSSION:

The interim financial statements for the ten months ended April 30, 2011 (83.3% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

ATTACHMENT: Interim Financial Statements for the Ten Months Ended April 30,

2011

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
GENERAL FUND					
Revenue	99,604,807	80,825,552	_	18,779,256	81.1%
Expenditures	100,619,818	82,911,294	991,866	16,716,659	83.4%
Addition to / (use of) reserves	(1,015,011)	(2,085,742)	(991,866)	10,7 10,000	00.470
_	(1,010,017)	(2,000,112)	(001,000)		
WATER OPERATING FUND					
Revenue	34,632,686	27,266,604	-	7,366,081	78.7%
Expenditures	35,669,711	24,357,898	2,304,203	9,007,610	74.7%
Addition to / (use of) reserves	(1,037,025)	2,908,706	(2,304,203)		
WASTEWATER OPERATING FUND					
Revenue	14,985,411	12,635,497	_	2,349,914	84.3%
Expenditures	19,066,345	14,244,654	1,044,573	3,777,118	80.2%
Addition to / (use of) reserves	(4,080,934)	(1,609,157)	(1,044,573)	0,,,,,,	00.270
_					
DOWNTOWN PARKING					
Revenue	6,689,440	5,652,509	-	1,036,931	84.5%
Expenditures	7,391,283	5,224,045	540,172	1,627,066	78.0%
Addition to / (use of) reserves	(701,843)	428,464	(540,172)		
AIRPORT OPERATING FUND					
Revenue	13,065,477	11,041,906	-	2,023,571	84.5%
Expenditures	14,631,500	11,376,035	620,077	2,635,388	82.0%
Addition to / (use of) reserves	(1,566,023)	(334,129)	(620,077)		
GOLF COURSE FUND					
Revenue	2,049,194	1,546,084	_	503,110	75.4%
Expenditures	2,060,811	1,597,713	73,464	389,634	81.1%
Addition to / (use of) reserves	(11,617)	(51,629)	(73,464)	000,001	31.170
,	(,	(31,1020)	(10,101)		
INTRA-CITY SERVICE FUND					
Revenue	6,083,553	4,236,664	-	1,846,889	69.6%
Expenditures	6,781,899	4,029,916	1,064,163	1,687,820	75.1%
Addition to / (use of) reserves	(698,346)	206,748	(1,064,163)		

Interim Statement of Revenues and Expenditures Summary by Fund

For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
FLEET REPLACEMENT FUND					
Revenue	2,227,068	1,868,026	-	359,042	83.9%
Expenditures	4,631,542	1,876,290	315,958	2,439,294	47.3%
Addition to / (use of) reserves	(2,404,474)	(8,264)	(315,958)		
FLEET MAINTENANCE FUND					
Revenue	2,429,418	1,982,035	-	447,383	81.6%
Expenditures	2,485,972	1,889,371	118,941	477,660	80.8%
Addition to / (use of) reserves	(56,554)	92,664	(118,941)		
SELF INSURANCE TRUST FUND					
Revenue	5,694,553	4,554,370	-	1,140,183	80.0%
Expenditures	6,194,109	5,005,566	312,397	876,147	85.9%
Addition to / (use of) reserves	(499,556)	(451,195)	(312,397)		
INFORMATION SYSTEMS ICS FUND					
Revenue	2,339,593	1,946,853	-	392,740	83.2%
Expenditures	2,344,701	1,845,574	76,287	422,839	82.0%
Addition to / (use of) reserves	(5,108)	101,278	(76,287)	·	
WATERFRONT FUND					
Revenue	11,762,974	9,486,545	-	2,276,429	80.6%
Expenditures	11,850,433	9,465,949	490,002	1,894,483	84.0%
Addition to / (use of) reserves	(87,459)	20,597	(490,002)		
TOTAL FOR ALL FUNDS					
Revenue	201,564,174	163,042,645	-	38,521,529	80.9%
Expenditures	213,728,125	163,824,304	7,952,104	41,951,717	80.4%
Addition to / (use of) reserves	(12,163,951)	(781,659)	(7,952,104)		

^{**} It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to accommodate the 'carried-over' encumbrance amount. Most differences between budgeted annual revenues and expenses are due to these encumbrance carryovers.

CITY OF SANTA BARBARA General Fund

Interim Statement of Budgeted and Actual Revenues
For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

_	Annual Budget	YTD Actual	Remaining Balance	Percent Received	Previous YTD
TAXES					
Sales and Use	16,714,359	13,062,429	3,651,930	78.2%	12,153,933
Property Taxes	22,790,000	18,391,295	4,398,705	80.7%	18,079,304
Utility Users Tax	7,040,000	5,828,879	1,211,121	82.8%	5,830,757
Transient Occupancy Tax	11,157,000	10,173,150	983,850	91.2%	9,384,544
Franchise Fees	3,266,000	2,813,595	452,405	86.1%	2,863,776
Business License	2,168,000	1,889,891	278,109	87.2%	1,873,710
Real Property Transfer Tax	358,100	321,907	36,193	89.9%	298,629
Total	63,493,459	52,481,146	11,012,313	82.7%	50,484,652
LICENSES & PERMITS					
Licenses & Permits	194,000	153,611	40,389	79.2%	160,831
Total	194,000	153,611	40,389	79.2%	160,831
FINES & FORFEITURES					
Parking Violations	2,469,069	2,045,650	423,419	82.9%	1,998,285
Library Fines	115,000	92,870	22,130	80.8%	103,579
Municipal Court Fines	150,000	131,227	18,773	87.5%	148,521
Other Fines & Forfeitures	175,000	196,401	(21,401)	112.2%	152,951
Total	2,909,069	2,466,148	442,921	84.8%	2,403,336
USE OF MONEY & PROPERTY					
Investment Income	848,615	617,741	230,874	72.8%	849,168
Rents & Concessions	421,535	367,374	54,161	87.2%	335,082
Total	1,270,150	985,115	285,035	77.6%	1,184,251
INTERGOVERNMENTAL					
Grants	511,559	459,213	52,346	89.8%	367,063
Vehicle License Fees	150,000	231,433	(81,433)	154.3%	219,552
Reimbursements	14,040	10,311	3,729	73.4%	10,218
Total	675,599	700,958	(25,359)	103.8%	596,833
FEES & SERVICE CHARGES					
Finance	858,930	704,557	154,373	82.0%	689,250
Community Development	4,452,856	3,970,272	482,584	89.2%	3,813,196
Recreation	2,358,031	1,718,577	639,454	72.9%	1,705,048
Public Safety	476,348	410,837	65,511	86.2%	375,562
Public Works	5,219,373	4,071,946	1,147,427	78.0%	4,282,462
Library	779,643	734,928	44,715	94.3%	741,607
Reimbursements	5,856,688	4,593,056	1,263,632	78.4%	4,596,272
Total	20,001,869	16,204,172	3,797,697	81.0%	16,203,398
OTHER MISCELLANEOUS REVENUES					
Miscellaneous	1,475,938	1,478,225	(2,287)	100.2%	1,494,944
Indirect Allocations	6,520,510	5,433,758	1,086,752	83.3%	6,049,588
Operating Transfers-In	3,064,213	922,418	2,141,795	30.1%	1,714,274
Total	11,060,661	7,834,402	3,226,259	70.8%	9,258,806
TOTAL REVENUES	99,604,807	80,825,552	18,779,256	81.1%	80,292,106

General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
GENERAL GOVERNMENT						
Mayor & City Council						
MAYOR	686,819	575,082	1,093	110,644	83.9%	
Total	686,819	575,082	1,093	110,644	83.9%	588,904
City Attorney						
CITY ATTORNEY	1,867,900	1,643,334		224,566	88.0%	
Total	1,867,900	1,643,334		224,566	88.0%	1,744,865
Administration						
CITY ADMINISTRATOR	1,289,339	1,070,581	1,093	217,665	83.1%	
LABOR RELATIONS	110,649	82,352	-	28,297	74.4%	
CITY TV	449,365	307,924	35,788	105,654	76.5%	
Total	1,849,353	1,460,857	36,881	351,616	81.0%	1,478,192
Administrative Services	105 150					
CITY CLERK	465,472	354,295	9,224	101,953	78.1%	
HUMAN RESOURCES	1,072,931	838,478	9,276	225,177	79.0%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	135,367	101,541	-	33,826	75.0%	
Total	1,673,770	1,294,315	18,499	360,956	78.4%	1,651,123
Finance ADMINISTRATION	225,246	106 251	7.405	24 400	00.5%	
TREASURY	·	196,351	7,495	21,400	90.5%	
CASHIERING & COLLECTION	442,107	344,392	1,700	96,015	78.3%	
	419,606	353,090	-	66,516	84.1%	
LICENSES & PERMITS	383,444	307,620	-	75,824	80.2%	
BUDGET MANAGEMENT	376,809	329,536	-	47,273	87.5%	
ACCOUNTING	389,626	337,332	26,554	25,739	93.4%	
PAYROLL	266,456	227,605	-	38,851	85.4%	
ACCOUNTS PAYABLE	207,691	172,280	-	35,411	83.0%	
CITY BILLING & CUSTOMER SERVICE	575,806	461,378	-	114,428	80.1%	
PURCHASING	657,198	530,447	3,058	123,693	81.2%	
CENTRAL STORES	158,284	128,141	364	29,779	81.2%	
MAIL SERVICES	86,794	73,433	170	13,191	84.8%	
Total	4,189,067	3,461,605	39,342	688,121	83.6%	3,689,086
TOTAL GENERAL GOVERNMENT	10,266,909	8,435,192	95,815	1,735,903	83.1%	9,152,170
PUBLIC SAFETY						
Police						
CHIEF'S STAFF	1,157,059	984,260	-	172,799	85.1%	
SUPPORT SERVICES	568,188	472,289	586	95,313	83.2%	
RECORDS	1,272,453	1,037,615	8,909	225,929	82.2%	
COMMUNITY SVCS	904,269	754,558	1,911	147,800	83.7%	
CRIME ANALYSIS	7,067	5,889	-	1,178	83.3%	
PROPERTY ROOM	125,865	110,390	820	14,655	88.4%	

General Fund

Interim Statement of Appropriations, Expenditures and Encumbrances For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
PUBLIC SAFETY						
Police						
TRNG/RECRUITMENT	452,567	548,916	5,273	(101,622)	122.5%	
RANGE	1,023,098	922,419	7,015	93,664	90.8%	
BEAT COORDINATORS	479,676	478,388	-	1,288	99.7%	
INFORMATION TECHNOLOGY	1,112,749	939,161	12,894	160,694	85.6%	
INVESTIGATIVE DIVISION	4,334,087	3,697,946	2,100	634,041	85.4%	
CRIME LAB	213,712	111,238	1,388	101,086	52.7%	
PATROL DIVISION	13,162,085	11,227,484	72,907	1,861,694	85.9%	
TRAFFIC	1,288,565	981,086	1,304	306,175	76.2%	
SPECIAL EVENTS	972,017	1,043,888	-	(71,871)	107.4%	
TACTICAL PATROL FORCE	1,114,467	967,730	-	146,737	86.8%	
STREET SWEEPING ENFORCEMENT	278,644	243,849	-	34,795	87.5%	
NIGHT LIFE ENFORCEMENT	325,787	231,288	-	94,499	71.0%	
PARKING ENFORCEMENT .	1,000,147	746,709	16,256	237,182	76.3%	
ccc	2,292,999	1,719,802	1,971	571,226	75.1%	
ANIMAL CONTROL	542,378	477,143	1,127	64,108	88.2%	
Total	32,627,878	27,702,047	134,462	4,791,370	85.3%	27,063,884
<u>Fire</u>						
ADMINISTRATION	816,405	672,096	2,321	141,988	82.6%	
EMERGENCY SERVICES AND PUBLIC ED	210,178	151,382	-	58,796	72.0%	
PREVENTION	1,166,561	891,207	336	275,018	76.4%	
WILDLAND FIRE MITIGATION PROGRAM	173,996	134,815	21,072	18,109	89.6%	
OPERATIONS	16,292,037	14,457,710	50,844	1,783,483	89.1%	
ARFF	1,637,120	1,568,068	-	69,052	95.8%	
Total	20,296,297	17,875,278	74,573	2,346,446	88.4%	17,081,376
TOTAL PUBLIC SAFETY	52,924,175	45,577,325	209,035	7,137,816	86.5%	44,145,260
PUBLIC WORKS Public Works						
ADMINISTRATION	872,992	648,328	15,689	208,975	76.1%	
ENGINEERING SVCS	4,353,334	3,595,717	3,382	754,236	82.7%	
PUBLIC RT OF WAY MGMT	983,568	814,040	4,529	164,999	83.2%	
ENVIRONMENTAL PROGRAMS	361,153	206,763	68,699	85,691	76.3%	
Total	6,571,047	5,264,878	92,299	1,213,870	81.5%	5,162,654
TOTAL PUBLIC WORKS	6,571,047	5,264,878	92,299	1,213,870	81.5%	5,162,654
COMMUNITY SERVICES Parks & Recreation						
PRGM MGMT & BUS SVCS	476,287	387,680	-	88,607	81.4%	
FACILITIES	354,519	296,617	2,850	55,052	84.5%	
CULTURAL ARTS	420,422	327,143	5,585	87,693	79.1%	

General Fund

Interim Statement of Appropriations, Expenditures and Encumbrances For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
COMMUNITY SERVICES						
Parks & Recreation						
YOUTH ACTIVITIES	733,831	545,174	4,750	183,907	74.9%	
SR CITIZENS	653,938	495,155	444	158,339	75.8%	
AQUATICS	1,042,852	858,535	29,273	155,044	85.1%	
SPORTS	495,345	361,139	10,261	123,945	75.0%	
TENNIS	258,175	168,119	10,000	80,056	69.0%	
NEIGHBORHOOD & OUTREACH SERV	989,941	835,265	2,809	151,867	84.7%	
ADMINISTRATION	520,544	434,469	-	86,075	83.5%	
PROJECT MANAGEMENT TEAM	223,659	184,170	11,436	28,053	87.5%	
BUSINESS SERVICES	302,136	201,755	10,886	89,494	70.4%	
FACILITY & PROJECT MGT	951,580	784,396	620	166,564	82.5%	
GROUNDS MANAGEMENT	4,134,610	3,214,131	118,457	802,022	80.6%	
FORESTRY	1,163,333	820,739	107,578	235,016	79.8%	
BEACH MAINTENANCE	164,643	114,747	24,322	25,574	84.5%	
Total	12,885,815	10,030,195	339,272	2,516,347	80.5%	10,496,723
Library						
ADMINISTRATION	399,732	300,206	-	99,526	75.1%	
PUBLIC SERVICES	1,997,383	1,590,822	3,950	402,611	79.8%	
SUPPORT SERVICES	1,861,824	1,161,672	180,017	520,135	72.1%	
Total	4,258,939	3,052,700	183,967	1,022,272	76.0%	3,290,769
TOTAL COMMUNITY SERVICES	17,144,754	13,082,895	523,239	3,538,620	79.4%	13,787,492
COMMUNITY DEVELOPMENT Community Development						
ADMINISTRATION	427,609	333,045	1,309	93,255	78.2%	
ECON DEV	52,296	36,811	-	15,485	70.4%	
CITY ARTS ADVISORY PROGRAM	427,260	427,260	-		100.0%	
HUMAN SVCS	819,851	593,883	-	225,968	72.4%	
RDA	685,691	534,837	-	150,854	78.0%	
RDA HSG DEV	642,855	497,911	-	144,944	77.5%	
LR PLANNING/STUDIES	716,236	602,192	673	113,371	84.2%	
DEV & DESIGN REVIEW	952,017	735,777	10,813	205,427	78.4%	
ZONING	809,341	655,610	1,637	152,093	81.2%	
DESIGN REV & HIST PRESERVATN	886,555	645,880	19,540	221,135	75.1%	
SHO/ENVIRON REVIEW/TRAINING	737,535	607,854	1,730	127,951	82.7%	
BLDG PERMITS	1,027,134	818,448	7,574	201,112	80.4%	
RECORDS & ARCHIVES	523,630	403,039	9,727	110,863	78.8%	
PLAN CK & COUNTER SRV	1,252,403	976,542	18,475	257,386	79.4%	
Total	9,960,413	7,869,091	71,478	2,019,844	79.7%	8,187,903
TOTAL COMMUNITY DEVELOPMENT	9,960,413	7,869,091	71,478	2,019,844	79.7%	8,187,903

General Fund

Interim Statement of Appropriations, Expenditures and Encumbrances For the Ten Months Ended April 30, 2011 (83.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
NON-DEPARTMENTAL						
Non-Departmental						
DUES, MEMBERSHIPS, & LICENSES	22,272	23,865	-	(1,593)	107.2%	
COMMUNITY PROMOTIONS	1,537,890	1,583,633	-	(45,743)	103.0%	
SPECIAL PROJECTS	359,264	293,350	-	65,914	81.7%	
TRANSFERS OUT	43,500	36,250	-	7,250	83.3%	
DEBT SERVICE TRANSFERS	350,445	321,340	-	29,105	91.7%	
CAPITAL OUTLAY TRANSFER	508,170	423,475	-	84,695	83.3%	
APPROP. RESERVE	930,979			930,979	0.0%	
Total	3,752,520	2,681,913	-	1,070,607	71.5%	2,178,177
TOTAL NON-DEPARTMENTAL	3,752,520	2,681,913	-	1,070,607	71.5%	2,178,177
TOTAL EXPENDITURES	100,619,818	82,911,294	991,866	16,716,659	83.4%	82,613,654

^{**} The legal level of budgetary control is at the department level for the General Fund. Therefore, as long as the department as a whole is within budget, budgetary compliance has been achieved. The City actively monitors the budget status of each department and takes measures to address potential over budget situations before they occur.

For Enterprise and Internal Service Funds, the legal level of budgetary control is at the fund level. The City also monitors and addresses these fund types for potential over budget situations.

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
TRAFFIC SAFETY FUND					
Revenue	470,000	410,461	-	59,539	87.3%
Expenditures	470,000	410,461	-	59,539	87.3%
Revenue Less Expenditures		-	•		
CREEK RESTORATION/WATER QUALITY	'IMPRVMT				
Revenue	2,407,300	2,141,876	-	265,424	89.0%
Expenditures	4,163,728	2,905,080	265,528	993,120	76.1%
Revenue Less Expenditures	(1,756,428)	(763,204)	(265,528)	(727,697)	
SOLID WASTE PROGRAM					
Revenue	17,512,032	14,041,436	-	3,470,596	80.2%
Expenditures	19,316,716	14,927,166	944,521	3,445,029	82.2%
Revenue Less Expenditures	(1,804,684)	(885,730)	(944,521)	25,566	
COMM.DEVELOPMENT BLOCK GRANT					
Revenue	2,003,480	1,473,702	-	529,778	73.6%
Expenditures	2,003,480	766,962	227,271	1,009,247	49.6%
Revenue Less Expenditures	-	706,740	(227,271)	(479,469)	
COUNTY LIBRARY					
Revenue	1,752,519	1,161,363	-	591,156	66.3%
Expenditures	1,863,394	1,402,294	119,631	341,469	81.7%
Revenue Less Expenditures	(110,875)	(240,931)	(119,631)	249,686	
STREETS FUND					
Revenue	9,926,670	7,544,668	-	2,382,002	76.0%
Expenditures	13,933,618	7,561,362	1,356,427	5,015,829	64.0%
Revenue Less Expenditures	(4,006,948)	(16,694)	(1,356,427)	(2,633,827)	
MEASURE A					
Revenue	2,882,759	2,218,834	_	663,925	77.0%
Expenditures	2,882,759	1,844,499	428,377	609,883	78.8%
Revenue Less Expenditures	-	374,335	(428,377)	54,042	

WATER OPERATING FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES				-		
	-	17,179	-	(17,179)	100.0%	-
Water Sales - Metered	30,350,000	22,918,592	-	7,431,408	75.5%	23,304,782
Service Charges	395,000	685,728	-	(290,728)	173.6%	409,847
Cater JPA Treatment Charges	2,272,520	2,326,679	-	(54,159)	102.4%	2,632,737
Licenses & Permits	-	-	-	-	100.0%	-
Investment Income	860,900	810,594	-	50,306	94.2%	978,242
Grants	-	-	-	-	100.0%	37,102
Reimbursements	-	-	-	-	100.0%	-
Miscellaneous	754,266	507,832	~	246,434	67.3%	972,892
TOTAL REVENUES	34,632,686	27,266,604	-	7,366,081	78.7%	28,335,603
EXPENSES						
Salaries & Benefits	7,617,220	6,002,179	-	1,615,041	78.8%	5,975,557
Materials, Supplies & Services	10,173,513	5,924,621	1,791,649	2,457,244	75.8%	6,248,631
Special Projects	737,378	179,088	71,466	486,823	34.0%	111,733
Water Purchases	8,177,644	5,637,060	409,238	2,131,346	73.9%	5,786,119
Debt Service	5,088,853	3,643,762	-	1,445,091	71.6%	3,307,172
Capital Outlay Transfers	3,349,702	2,791,418	-	558,284	83.3%	4,418,743
Equipment	177,227	72,270	1,259	103,698	41.5%	92,284
Capitalized Fixed Assets	191,932	86,750	30,591	74,591	61.1%	33,090
Other	43,000	20,750	-	22,250	48.3%	21,299
Appropriated Reserve	113,242	-	-	113,242	0.0%	-
TOTAL EXPENSES	35,669,711	24,357,898	2,304,203	9,007,610	74.7%	25,994,628

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

WASTEWATER OPERATING FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
	-	17,179	-	(17,179)	100.0%	-
Service Charges	14,200,000	11,548,154	-	2,651,846	81.3%	11,313,160
Fees	452,911	714,924	-	(262,013)	157.9%	526,808
Investment Income	296,100	244,249	-	51,851	82.5%	334,839
Public Works	11,400	33,572	-	(22,172)	294.5%	5,786
Miscellaneous	25,000	77,419	-	(52,419)	309.7%	24,000
TOTAL REVENUES	14,985,411	12,635,497	-	2,349,914	84.3%	12,204,594
EXPENSES						
Salaries & Benefits	5,178,153	4,092,307	-	1,085,846	79.0%	3,995,580
Materials, Supplies & Services	5,812,865	4,332,953	1,026,330	453,583	92.2%	3,900,810
Special Projects	180,000	151,671	-	28,329	84.3%	656,205
Transfers-Out	-	-	-	-	100.0%	54,167
Debt Service	1,352,038	334,388	-	1,017,650	24.7%	343,983
Capital Outlay Transfers	6,295,500	5,246,250	-	1,049,250	83.3%	2,355,990
Equipment	54,428	29,036	6,734	18,658	65.7%	18,678
Capitalized Fixed Assets	97,261	58,050	11,510	27,701	71.5%	967
Appropriated Reserve	96,100	-	-	96,100	0.0%	-
TOTAL EXPENSES	19,066,345	14,244,654	1,044,573	3,777,118	80.2%	11,326,381

DOWNTOWN PARKING

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Improvement Tax	840,000	769,242	-	70,758	91.6%	765,822
Parking Fees	5,606,000	4,680,945	-	925,055	83.5%	4,707,016
Investment Income	154,700	125,549	-	29,151	81.2%	174,493
Rents & Concessions	23,740	23,740	-	-	100.0%	23,740
Reimbursements	20,000	4,598	-	15,402	23.0%	14,495
Miscellaneous	1,500	12,184	-	(10,684)	812.3%	1,932
Operating Transfers-In	43,500	36,250	-	7,250	83.3%	43,500
TOTAL REVENUES	6,689,440	5,652,509	-	1,036,931	84.5%	5,730,998
EXPENSES						
Salaries & Benefits	3,847,242	3,051,945	-	795,297	79.3%	3,018,215
Materials, Supplies & Services	1,807,229	1,242,005	82,904	482,321	73.3%	1,308,406
Special Projects	730,482	106,890	453,839	169,753	76.8%	462,568
Transfers-Out	312,621	260,518	-	52,104	83.3%	260,518
Capital Outlay Transfers	660,000	550,000	-	110,000	83.3%	1,048,967
Equipment	25,000	12,687	3,430	8,883	64.5%	169
Capitalized Fixed Assets	-	-	-	-	100.0%	1,890
Appropriated Reserve	8,709	-		8,709	0.0%	-
TOTAL EXPENSES	7,391,283	5,224,045	540,172	1,627,066	78.0%	6,100,731

AIRPORT OPERATING FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases - Commercial / Industrial	3,977,000	3,576,840	-	400,160	89.9%	3,447,252
Leases - Terminal	4,927,950	4,001,094	-	926,856	81.2%	3,892,986
Leases - Non-Commerical Aviation	1,095,875	1,245,576	-	(149,701)	113.7%	966,066
Leases - Commerical Aviation	2,637,000	1,921,022	-	715,978	72.8%	1,789,342
Investment Income	231,100	195,305	-	35,795	84.5%	256,799
Miscellaneous	196,552	102,069	-	94,483	51.9%	158,158
TOTAL REVENUES	13,065,477	11,041,906	-	2,023,571	84.5%	10,510,602
EXPENSES						
Salaries & Benefits	4,913,183	3,929,368	-	983,815	80.0%	3,906,597
Materials, Supplies & Services	6,432,710	4,906,539	460,077	1,066,094	83.4%	4,806,464
Special Projects	912,307	532,579	160,000	219,728	75.9%	404,773
Transfers-Out	31,049	25,874	-	5,175	83.3%	-
Capital Outlay Transfers	2,047,368	1,955,701	-	91,667	95.5%	542,558
Equipment	24,610	25,973	-	(1,363)	105.5%	21,287
Capitalized Fixed Assets	-	-	-	-	100.0%	(5,055)
Appropriated Reserve	270,273	-	-	270,273	0.0%	-
TOTAL EXPENSES	14,631,500	11,376,035	620,077	2,635,388	82.0%	9,676,624

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

GOLF COURSE FUND

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Fees & Card Sales	1,725,172	1,230,852	-	494,320	71.3%	1,121,739
Investment Income	20,200	10,638	-	9,562	52.7%	27,325
Rents & Concessions	300,322	248,130	-	52,192	82.6%	218,057
Miscellaneous	3,500	56,464	-	(52,964)	1613.3%	254,751
TOTAL REVENUES	2,049,194	1,546,084	_	503,110	75.4%	1,621,871
EXPENSES						
Salaries & Benefits	1,095,646	922,563	-	173,083	84.2%	954,594
Materials, Supplies & Services	611,462	429,898	63,940	117,624	80.8%	430,630
Special Projects	14,524	2,490	9,524	2,510	82.7%	976
Transfers-Out	-	-	-	-	100.0%	507,767
Debt Service	213,407	180,532	-	32,875	84.6%	182,141
Capital Outlay Transfers	70,000	58,333	-	11,667	83.3%	461
Equipment	3,500	3,897	-	(397)	111.3%	2,501
Appropriated Reserve	52,272	-	-	52,272	0.0%	-
TOTAL EXPENSES	2,060,811	1,597,713	73,464	389,634	81.1%	2,079,070

INTRA-CITY SERVICE FUND

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Work Orders - Bldg Maint.	3,598,018	2,667,078	-	930,940	74.1%	2,747,131
Grants	742,970	125,499	-	617,472	16.9%	818,200
Service Charges	1,742,565	1,443,804	-	298,761	82.9%	1,367,901
Miscellaneous	-	283	-	(283)	100.0%	2,929
Operating Transfers-In	-	-	-	-	100.0%	54,167
TOTAL REVENUES	6,083,553	4,236,664	-	1,846,889	69.6%	4,990,327
EXPENSES						
Salaries & Benefits	2,858,723	2,321,524	-	537,199	81.2%	2,470,464
Materials, Supplies & Services	1,109,096	805,644	68,946	234,506	78.9%	741,231
Special Projects	2,010,520	706,135	548,890	755,495	62.4%	734,394
Capital Outlay Transfers	-	-	-	-	100.0%	65,691
Equipment	23,000	13,540	-	9,460	58.9%	522
Capitalized Fixed Assets	780,560	183,073	446,327	151,160	80.6%	796,986
TOTAL EXPENSES	6,781,899	4,029,916	1,064,163	1,687,820	75.1%	4,809,287

FLEET REPLACEMENT FUND

Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
1,791,427	1,492,856	-	298,571	83.3%	1,119,183
153,300	135,264	-	18,036	88.2%	174,410
232,341	193,618	-	38,724	83.3%	202,373
50,000	46,289	-	3,711	92.6%	90,568
2,227,068	1,868,026	-	359,042	83.9%	1,586,533
			•		
150,983	127,116	-	23,867	84.2%	126,790
993	1,503	-	(510)	151.3%	1,683
4,479,566	1,747,672	315,958	2,415,936	46.1%	838,675
4,631,542	1,876,290	315,958	2,439,294	47.3%	967,149
	1,791,427 153,300 232,341 50,000 2,227,068 150,983 993 4,479,566	Budget Actual 1,791,427 1,492,856 153,300 135,264 232,341 193,618 50,000 46,289 2,227,068 1,868,026 150,983 127,116 993 1,503 4,479,566 1,747,672	Budget Actual brances 1,791,427 1,492,856 - 153,300 135,264 - 232,341 193,618 - 50,000 46,289 - 2,227,068 1,868,026 - 150,983 127,116 - 993 1,503 - 4,479,566 1,747,672 315,958	Budget Actual brances Balance 1,791,427 1,492,856 - 298,571 153,300 135,264 - 18,036 232,341 193,618 - 38,724 50,000 46,289 - 3,711 2,227,068 1,868,026 - 359,042 - - 23,867 993 1,503 - (510) 4,479,566 1,747,672 315,958 2,415,936	Budget Actual brances Balance Budget 1,791,427 1,492,856 - 298,571 83.3% 153,300 135,264 - 18,036 88.2% 232,341 193,618 - 38,724 83.3% 50,000 46,289 - 3,711 92.6% 2,227,068 1,868,026 - 359,042 83.9% 150,983 127,116 - 23,867 84.2% 993 1,503 - (510) 151.3% 4,479,566 1,747,672 315,958 2,415,936 46.1%

FLEET MAINTENANCE FUND

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Maintenance Charges	2,369,418	1,974,515	-	394,903	83.3%	2,066,865
Miscellaneous	60,000	7,520	-	52,480	12.5%	-
TOTAL REVENUES	2,429,418	1,982,035	-	447,383	81.6%	2,066,865
EXPENSES						
Salaries & Benefits	1,141,256	952,382	-	188,874	83.5%	956,999
Materials, Supplies & Services	1,255,238	900,137	116,055	239,045	81.0%	801,898
Special Projects	87,279	35,199	2,339	49,741	43.0%	19,777
Equipment	2,200	1,653	547	-	100.0%	-
TOTAL EXPENSES	2,485,972	1,889,371	118,941	477,660	80.8%	1,778,674

SELF INSURANCE TRUST FUND

** Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
2,583,750	2,153,984	-	429,766	83.4%	2,458,844
2,643,581	2,202,984	-	440,597	83.3%	2,069,107
277,322	-	-	277,322	0.0%	252,098
189,900	149,672	-	40,228	78.8%	229,638
-	316	-	(316)	100.0%	-
-	47,414	-	(47,414)	100.0%	13,991
5,694,553	4,554,370	-	1,140,183	80.0%	5,023,678
523,458	328,366	-	195,092	62.7%	426,335
4,928,992	3,958,461	312,397	658,135	86.6%	3,686,064
-	100	-	(100)	100.0%	-
717,988	717,988	-	-	100.0%	780,000
-	-	-	-	100.0%	921
-	650	-	(650)	100.0%	-
23,671	-	-	23,671	0.0%	-
6,194,109	5,005,566	312,397	876,147	85.9%	4,893,319
	2,583,750 2,643,581 277,322 189,900 5,694,553 523,458 4,928,992 717,988	Budget Actual 2,583,750 2,153,984 2,643,581 2,202,984 277,322 - 189,900 149,672 - 316 - 47,414 5,694,553 4,554,370 523,458 328,366 4,928,992 3,958,461 - 100 717,988 717,988 - 650 23,671 -	Budget Actual brances 2,583,750 2,153,984 - 2,643,581 2,202,984 - 277,322 - - 189,900 149,672 - - 316 - - 47,414 - 5,694,553 4,554,370 - 523,458 328,366 - 4,928,992 3,958,461 312,397 - 100 - 717,988 717,988 - - 650 - 23,671 - -	Budget Actual brances Balance 2,583,750 2,153,984 - 429,766 2,643,581 2,202,984 - 440,597 277,322 - - 277,322 189,900 149,672 - 40,228 - 316 - (316) - 47,414 - (47,414) 5,694,553 4,554,370 - 1,140,183 523,458 328,366 - 195,092 4,928,992 3,958,461 312,397 658,135 - 100 - (100) 717,988 717,988 - - - 650 - (650) 23,671 - - 23,671	Budget Actual brances Balance Budget 2,583,750 2,153,984 - 429,766 83.4% 2,643,581 2,202,984 - 440,597 83.3% 277,322 - - 277,322 0.0% 189,900 149,672 - 40,228 78.8% - 316 - (316) 100.0% - 47,414 - (47,414) 100.0% 5,694,553 4,554,370 - 1,140,183 80.0% 523,458 328,366 - 195,092 62.7% 4,928,992 3,958,461 312,397 658,135 86.6% - 100 - (100) 100.0% 717,988 717,988 - - 100.0% - - - - 100.0% - - - - 100.0% - - - - 100.0% - - -

^{**} The Self Insurance Trust Fund is an internal service fund of the City, which accounts for the cost of providing workers' compensation, property and liability insurance as well as unemployment insurance and certain self-insured employee benefits on a city-wide basis. Internal Service Funds charge other funds for the cost of providing their specific services.

INFORMATION SYSTEMS ICS FUND

_	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	2,302,393	1,909,653	-	392,740	82.9%	2,038,317
Miscellaneous	-	-	-	-	100.0%	226
Operating Transfers-In	37,200	37,200	-	-	100.0%	-
TOTAL REVENUES	2,339,593	1,946,853	_	392,740	83.2%	2,038,543
EXPENSES						
Salaries & Benefits	1,487,770	1,252,837	-	234,933	84.2%	1,234,149
Materials, Supplies & Services	549,179	441,500	23,644	84,035	84.7%	451,439
Special Projects	1,700	4,053	10,082	(12,435)	831.5%	2,728
Equipment	249,213	147,184	42,562	59,467	76.1%	227,349
Appropriated Reserve	56,839	-	-	56,839	0.0%	-
TOTAL EXPENSES	2,344,701	1,845,574	76,287	422,839	82.0%	1,915,665

WATERFRONT FUND

*	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases - Commercial	1,372,773	1,117,146	-	255,627	81.4%	1,154,489
Leases - Food Service	2,173,351	1,926,977	-	246,374	88.7%	1,896,200
Slip Rental Fees	3,864,398	3,210,049	-	654,349	83.1%	3,055,546
Visitors Fees	555,894	349,068	-	206,826	62.8%	442,894
Slip Transfer Fees	621,957	363,525	-	258,432	58.4%	387,525
Parking Revenue	1,912,769	1,454,789	-	457,980	76.1%	1,531,087
Wharf Parking	244,477	180,935	-	63,542	74.0%	197,011
Other Fees & Charges	361,252	313,406	-	47,846	86.8%	307,048
Investment Income	215,759	174,628	-	41,131	80.9%	230,470
Rents & Concessions	299,504	278,658	-	20,846	93.0%	235,086
Grants	12,190	4,256	-	7,934	34.9%	-
Miscellaneous	128,650	113,108	-	15,542	87.9%	136,291
TOTAL REVENUES	11,762,974	9,486,545	-	2,276,429	80.6%	9,573,646
EXPENSES						
Salaries & Benefits	5,480,825	4,567,918	-	912,907	83.3%	4,496,749
Materials, Supplies & Services	3,405,267	2,561,323	437,587	406,357	88.1%	2,610,215
Special Projects	147,074	86,363	22,500	38,211	74.0%	87,609
Debt Service	1,665,997	1,415,238	-	250,759	84.9%	1,493,441
Capital Outlay Transfers	969,361	807,801	-	161,560	83.3%	942,818
Equipment	81,909	27,307	29,915	24,688	69.9%	14,731
Appropriated Reserve	100,000	-	-	100,000	0.0%	-
TOTAL EXPENSES	11,850,433	9,465,949	490,002	1,894,483	84.0%	9,645,562
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ORDINANCE NO	
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AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SECTIONS 22.70.020 AND 22.70.030 OF THE SANTA BARBARA MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

WHEREAS, the Community Development Department seeks to clarify the rules related to sign permit review in order to improve its ability to enforce the regulations in an efficient and consistent manner.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Sections 22.70.020 and 22.70.030 of Chapter 22.70 "Sign Regulations" of Title 22 are amended to read as follows:

22.70.020 Definitions.

As used in this Chapter, the following terms and phrases shall have the indicated meanings:

- A. ACCESSORY SIGN. A separate unit displaying information related to the principal business conducted on the premises, which is not attached to or supported by any other sign, and not made a part thereof.
- B. ARCHITECTURAL FEATURE. Any window frame, recessed area, door, detail or other feature that is part of any building, or is a specific element of a recognized style of architecture.
- C. AWNING SIGN. Any sign or graphic attached to, painted on or applied to an awning or awning canopy.
- D. BACK-LIT SIGN. Any internally illuminated sign with opaque, reverse pan channel, halo-lit letters and elements with concealed light sources in which the light projects away from the viewer.
- E. BALLOON. A lighter than air or inflated object no larger than eighteen (18) inches in any dimension.
- F. BANNER. A bunting or other flexible sign characteristically supported at two or more points and hung on a building or otherwise suspended down or along its face, or across any public street of the City. The banner may or may not include copy or other graphic symbols.
- G. BENCH SIGN. Any sign painted on or otherwise attached to a bench or other seat placed in an exterior area.
- H. BILLBOARD. A freestanding sign which exceeds the size limitations of a ground or wall sign. A billboard may be on-premises or off-premises.

- I. CIVIC EVENT SIGN. A sign, other than a commercial sign, posted to advertise or provide direction to a civic event sponsored by a public agency, the City, a school, church, civic-fraternal organization or similar non-commercial organization.
- J. COMMERCIAL, OFFICE OR INDUSTRIAL COMPLEX. A group of contiguous businesses which employs a homogeneous design theme as a common perimeter treatment.
- K. COMMERCIAL SIGN. Any sign which is intended to attract attention to a commercial activity, business, commodity, service, entertainment or attraction sold or offered, and which is to be viewed from public streets or public parking areas.
- L. DIGITAL DISPLAY. A sign that displays still images, scrolling images, or moving images, including video or animation, through a series of grid lights, including cathode ray, light emitting diode display, liquid crystal display, plasma screen, fiber optic, or other electronic media or technology, where the display can be changed through electronic means. The definition of digital display does not include time and temperature signs or electronic signs placed in the right-of-way that function as traffic control devices.
- M. EAVE. That portion of the roofline extending beyond the building wall, a canopy attachment on the wall having the simulated appearance of an eave, or the lowest horizontal line on any roof.
- N. ELECTION SIGN. A non-commercial sign pertaining to an election for public office or to a ballot measure to be placed before the voters in a federal, state or local election.
- O. ERECT. To build, construct, attach, hang, place, suspend, affix, fabricate (which shall also include painting of wall signs and window signs or other graphics), or project light in a manner that creates a projected light sign.
 - P. FACADE. The front of a building or structure facing a street.
- Q. FLAG. A piece of fabric of distinctive design (customarily rectangular) that is used as a symbol of a nation, state, city, agency, corporation or person or as a signaling device and is usually displayed hanging free from a staff or halyard to which it is attached by one edge.
 - R. FRONTAGE. The width of any face of a building.
- 1. Dominant building frontage. The principal frontage of the building where its main entrance is located or which faces the street upon which its address is located.
- 2. Subordinate building frontage. Any frontage other than the dominant frontage.
- S. GROUND SIGN. Any sign advertising goods manufactured, produced or sold or services rendered on the premises upon which the sign is placed, or identifying in any fashion the premises or any owner or occupant, and which is supported by one (1) or more uprights or braces on the ground, the overall total height of which does not exceed (i) six (6) feet above grade measured at the edge of the public right-of-way, or (ii) six feet above the base of the sign structure when the grade at the public right-of-way is at least three and one-half feet lower than the grade at the base of the sign, whichever is higher. In no case shall an artificial grade be established for the sole purpose of placing a sign at more than six (6) feet above the grade at the edge of the public right-of-way.
- T. HANGING SIGN. A sign attached to and located below any eave, roof, canopy, awning, or wall bracket.
 - U. ILLUMINATED SIGN. A physical sign that is illuminated internally or from an

- exterior light source. An illuminated sign is distinguished from a projected light sign by the fact that a projected light sign uses light to create the sign rather than using light to illuminate a sign of physical material.
- V. INFLATABLE SIGNS. A lighter than air or inflated object tethered or otherwise attached to the ground, structure or other object. This definition includes, but is not limited to, inflated representations of blimps, products, cartoon characters, animals and the like. Balloons are a distinct subset of inflatable signs.
- W. KIOSK. A small, freestanding structure permanently affixed to the ground, requiring a building permit, which may have one or more surfaces used to display temporary advertising signs.
- X. LETTER HEIGHT. The height of a letter from its bottom to its top, including any shadow line.
- Y. LIGHTING STANDARD. A device for providing artificial light on the sign surface.
- Z. LOGO SIGN WITH COURTESY PANELS. Prefabricated signs bearing a brand name, registered trademark or logo with space for the name of a local business or occupant or other items of information to be applied thereto or erected thereon.
- AA. MARQUEE. A permanent roof structure attached to and entirely supported by a wall of a building, having no connection or relationship with the roof of the building to which it is attached.
 - BB. MARQUEE SIGN. Any sign attached to a marquee.
- CC. MOBILE SIGN. A sign on a boat or on a vehicle, other than on a public transit vehicle designed to carry at least 19 passengers, advertising a good, service, or entity other than that for which the boat or vehicle is principally used.
- DD. MURAL. A painting or picture applied to and made part of a wall or window which may be pictorial or abstract, and is characteristically visually set off or separated from the background color or architectural environment.
- EE. NON-COMMERCIAL SIGN. Any sign which is intended to convey a non-commercial message of social, political, educational, religious or charitable commentary.
- FF. OFF-PREMISES SIGN. A commercial sign not located on the premises of the business or entity indicated or advertised by said sign, or a commercial sign advertising a commodity, service or entertainment offered at a location other than the location of the sign.
- GG. PARAPET. A low wall used to protect the edge of a roof from view, also called a parapet wall.
- HH. PARAPET OR PERGOLA SIGN. Any sign or other graphic attached to a parapet, ramada, pergola, or other similar structure.
- II. PENNANT. A small triangular or rectangular flag or multiples thereof, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures.
- JJ. PERGOLA. A structure usually consisting of parallel colonnades supporting an open roof of girders and cross-rafters, also known as an arbor, trellis or ramada.
- KK. POLE SIGN. Any sign, other than a ground sign, supported by one (1) or more uprights or braces on the ground, the height of which is greater than a ground sign, and which is not part of any building or structure other than a structure erected solely for the

purpose of supporting a sign.

- LL. PORTABLE SIGN. Any sign, other than a mobile sign, designated or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.
- MM. PROJECTED LIGHT SIGN. A projection of light onto a physical surface in a manner designed to communicate a message by creating a variable intensity of light on the physical surface in the form of letters, shapes, or symbols.
- NN. PROJECTING SIGN. Any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.
- OO.ROOF. The cover of any building, including the eaves and similar projections. False roofs on store fronts, coverings on or over oriels, bay windows, canopies and horizontally projecting surfaces other than marquees shall be considered roofs.
- PP. ROOF SIGN. Any sign any part of which is on or over any portion of any roof or eave of a building or structure and any sign which extends above a parapet of a building or structure.
- QQ.SIGN. Any form of visual communication including any physical object, projection of light, digital display, or open flame (with or without lettering, a symbol, logo) used to announce, declare, demonstrate, display, or otherwise present a message to or attract the attention of the public. A sign may include a commercial or noncommercial sign. A sign includes all parts, portions, units and materials used in constructing the sign, together with the illumination, frame, background, structure, support and anchorage thereof. A mural is not a sign.
- RR. TEMPORARY. A period of time not exceeding thirty (30) consecutive days, unless otherwise specified.
- SS. VENDING MACHINE. A machine or other mechanical device or container that dispenses a product or service through a self-service method of payment, but not including an automatic bank teller machine incorporated within a wall or a façade of a building; a news rack; a machine dispensing fuel, compressed air, or water at an automobile service station; or a public telephone.
- TT. WALL SIGN. Any sign affixed directly to or painted on or otherwise inscribed on an exterior wall or solid fence, the principal face of which is parallel to said wall or fence and which projects from that surface no more than twelve (12) inches at all points.
- UU. WINDOW SIGN. A sign that is attached to, affixed to, leaning against, or otherwise placed within six (6) feet of a window in a manner so as to present a message to or attract the attention of the public on adjoining streets, walkways, malls or parking lots available for public use.

22.70.030 Sign Regulations.

- A. PERMIT REQUIRED. It is unlawful for any person to erect, repair, alter, relocate or maintain any sign within the City, or to direct or authorize another person to do so, except pursuant to a sign permit obtained as provided in this Chapter unless the sign is specifically exempted from permit requirements by the provisions of this Chapter. No permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign unless the structure, design, color, or character is altered.
 - B. EXEMPT SIGNS. The following signs shall be allowed without a sign permit

and shall not be included in the determination of type, number, or area of signs allowed on a building or parcel:

- 1. Any official federal, state, or local government sign and notice issued by any court, person, or officer in performance of a public duty, or any sign erected or placed on park or beach property owned or controlled by the City and which (i) pertains to an event not exceeding five (5) days in duration and (ii) has been approved by the agency with authority over such property.
- 2. Any temporary sign warning of construction, excavation, or similar hazards so long as the hazard exists.
- 3. One temporary construction sign, provided the sign (i) does not exceed six (6) square feet in one- and two-family residence zones and does not exceed twenty-four (24) square feet in all other zones, (ii) is used only to indicate the name of the construction project and the names and locations (city or community and state name only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and financing company, (iii) is displayed during construction only, (iv) does not exceed the height limitations of a ground sign, and (v) meets all other applicable restrictions of this Chapter.
- 4. Any temporary sign relating to Fiesta, Solstice, or any official City holiday except banners, blinking lights, or signs and any related lighting that require a building, electrical, or other permit. Any such decorations or displays and any related lighting must be removed within ten (10) days following the event for which they were erected.
- 5. A sign consisting of a display of no more than twelve (12) balloons for any single business or residence, displayed at a height which is not above the roof ridge line of the main building or fifteen (15) feet, whichever is lower.
- 6. A non-commercial sign not exceeding six (6) square feet total for each lot in residential zones and twenty-four (24) square feet total for each lot in non-residential zones. Such a sign shall be erected only with the permission of property owner or tenant. An election sign shall not be displayed for more than ninety (90) days prior to the election or for more than ten (10) days following the election for which it is erected.
- 7. A temporary real estate sign which indicates that the property is for sale, rent, or lease. Only one such sign is allowed on each street frontage of the property. A temporary real estate sign may be displayed only for such time as the lot or any portion of the lot is actively offered for sale, rent, or lease. Such a sign may be single-faced or double-faced and is limited to a maximum area on each face of four (4) square feet or less on property in residential zones and twelve (12) square feet or less on property in non-residential zones. Signs allowed pursuant to this exemption shall not exceed the height limitations of a ground sign (six feet (6')).
 - 8. Any temporary sign located on a kiosk.
- 9. Any "No Trespassing" sign, prohibiting or restricting access to property, provided it is (i) not more than one (1) square foot in size, (ii) placed at each corner and each entrance to the property and (iii) at intervals of not less than fifty (50) feet or in compliance with the requirements of law.
 - 10. One identification sign of no more than one (1) square foot for a residence.
- 11. Any parking lot or other private traffic directional sign not to exceed two (2) square feet in area having black letters on a white or building color background, and limited to guidance of pedestrian or vehicular traffic within the premises. There shall be

erected no more than three (3) such signs in each parking lot or more than one (1) sign per entrance.

- 12. Any informational commercial signs provided the sign (i) is in a non-residential zone, (ii) has an aggregate area (when combined with all other similar signs on the parcel) of not more than one-and-one-half (1½) square feet at each public entrance nor more than five (5) square feet total, (iii) indicates address, hours and days of operation, whether a business is open or closed, credit information, and emergency address and telephone numbers. Lettering shall not exceed two (2) inches in height except for street numbers. Neon or light-emitting diode (LED) signs with the text "open" may be erected under this exemption subject to the following conditions: (i) no more than one (1) such sign may be erected per business, ii) the letter height of any such sign shall not exceed six (6) inches and the overall height of the sign shall not exceed twelve (12) inches, and (iii) such signs are not allowed in El Pueblo Viejo, unless the sign is located inside the building and at least ten (10) feet back from any window or other opening in the façade of the building.
 - 13. Any street name and address stamped or painted on a sidewalk or curb.
- 14. Any civic event sign, except a banner. Such a sign shall be removed within twenty-four (24) hours after the time of the event, shall not exceed twenty-four (24) square feet in size and may be erected for a period not to exceed five (5) days out of any thirty (30) day period. Only one (1) such sign shall be erected per lot.
- 15. Temporary open house signs. Open house signs erected pursuant to this exemption shall contain only the address of the property where the open house is being held and the name of the real estate agent and/or real estate agency or party holding the open house. Open house signs may be single-faced or double-faced. Open house signs shall be erected and removed on the day the open house is held. Open house signs shall not be fastened or attached in any way to a building façade or architectural element.
- a. On-Site Open House Signs. Pursuant to this exemption, one (1) on-site open house sign may be erected on each street frontage of the property that is for sale. Each face of an on-site open house sign shall have an area of three (3) square feet or less and the height of the on-site open house sign, including the supporting structure, shall not exceed four (4) feet.
- b. Off-Site Open House Signs. In addition to the on-site open house sign(s) allowed pursuant to this exemption, a maximum of five (5) off-site open house signs may be erected. Each face of an off-site open house sign shall have an area of three (3) square feet or less and the height of the off-site open house sign, including the supporting structure, shall not exceed three (3) feet. Off-site open house signs shall not be erected on private property without the permission of the property owner. In addition to complying with the requirements listed above applicable to off-site open house signs, off-site open house signs may be erected within the public right of way if such signs comply with all of the following standards:
- i. Signs shall not be erected in a manner which obstructs the pedestrian path of travel or which constitutes a hazard to pedestrians or vehicular traffic;
 - ii. Signs shall not be placed on vehicles;
 - iii. Signs shall not be placed in street medians; and
- iv. Decorative attachments (i.e., balloons, streamers, etc.) shall not be attached to any sign.

- 16. Any sign on a telephone booth or news rack, provided the sign (i) identifies only the product contained therein or displays operating instructions, and (ii) the lettering does not exceed two inches in height.
- 17. Flags flown on a temporary basis for purposes of honoring national or civic holidays which do not exceed eight (8) feet long in largest dimension. No more than two (2) flags may be flown pursuant to this exemption on a single parcel.
- 18. The official flag of a government, governmental agency, public institution, religion, corporation, business, or other similar entity. Only one (l) flag pole with a maximum height of twenty-five (25) feet and with a maximum dimension on the flag of eight (8) feet and which is not attached to the building shall be exempt. No more than two (2) flags may be flown pursuant to this exemption on a single parcel. Corporate or business flags displaying the emblem, name, logo, or other information of a business shall be included in the calculation of the maximum allowable sign area for the business.
- 19. Signs, except banners, announcing the opening of a new business which, in the aggregate, do not exceed ten (10) square feet in area or twenty-five percent (25%) of the window area, whichever is greater. Such signs shall be erected no more than thirty (30) days prior to the scheduled opening of the business and shall be removed no later than thirty (30) days after the opening of the business, but in no case shall such a sign be erected for more than forty-five (45) days within this period. The business owner or manager shall provide proof of opening date upon request.
- 20. Temporary window signs, except banners, not exceeding four (4) square feet or fifteen percent (15%) of the window area of each facade, whichever is greater. For windows which are more than twenty-five (25) feet from the public right-of-way, such signs shall not exceed twenty-five percent (25%) of such window area. No temporary window signs on a building or parcel shall be displayed for more than thirty (30) consecutive days nor more than a total of sixty (60) days per calendar year. Signs erected pursuant to this exemption shall not be illuminated. Unless specifically exempt pursuant to this subsection B, any illuminated sign erected within ten (10) feet of a window, door, or other opening in the façade of a building in a manner so as to present a message to or attract the attention of the public on adjoining streets, walkways, malls, or parking lots available for public use shall require a permit.
- 21. Signs specifically required by federal, state, or City law, of the minimum size required.
- 22. Signs on the air operation side of the Santa Barbara Municipal Airport which are designed and oriented to provide information to aircraft.
- 23. A sign, such as a menu, which (i) shows prices of goods or services not on window display to the public, (ii) does not exceed twenty-four (24) inches by eighteen (18) inches, (iii) has letters and numbers not exceeding three-quarters (3/4) of an inch in height, and (iv) is located on a wall or in a window.
- 24. Signs on public transit vehicles designed to transport at least 19 passengers. No more than one sign may be displayed on each side of these vehicles, except as approved by the Sign Committee.
- 25. Temporary "Garage Sale" or other similar signs located only on the premises upon which the sale is occurring.
- 26. Digital displays on gasoline pumps, provided the digital displays conform to all of the following standards:

- a. Each digital display shall not measure more than twenty-six (26) inches on the diagonal;
- b. Each digital display is integrated into the face of the gasoline pump and is not a stand-alone display;
- c. No more than one digital display is erected on each face of a gasoline pump.
 - d. The luminance of each digital display shall not exceed 1500 nits;
- e. Any audio associated with a digital display shall not exceed 65 dB, measured at the nearest property line, between the hours of 7:00 a.m. and 10:00 p.m., and 55 dB, measured at the nearest property line, between the hours of 10:00 p.m. and 7:00 a.m.; and
- f. No digital display shall be installed within twenty-five (25) feet of any property zoned exclusively for residential use.
- 27. Digital displays on automated teller machines (ATMs); provided, (i) the digital display only displays the name of financial institution that operates the ATM and the instructions for operating the ATM and (ii) the lettering does not exceed two inches in height.
- C. PROHIBITED SIGNS. In addition to any sign not conforming to the provisions of this Chapter, the following signs are prohibited:
- 1. Any sign which, by color, shape, working, or location, resembles or conflicts with any traffic control sign or device.
- 2. Signs attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical marker, or any other official traffic control device.
- 3. Any sign, except as may be required by other code or ordinance, placed or maintained so as to interfere with free ingress or egress from any door, window, or fire escape.
- 4. Signs erected on public or private property without the permission of the property owner.
- 5. Signs visible from the public street or parking lot attached to or placed on merchandise or materials stored or displayed outdoors except for parking lot sales of less than four (4) days in duration.
- 6. Signs that rotate, move, glare, flash, change, reflect, blink, or appear to do any of the foregoing, except time and temperature devices and digital displays otherwise exempted by this Chapter.
- 7. Off-premises signs, including billboards, except off-site open house signs erected in compliance with the standards specified in Section 22.70.030.B.15 and digital displays erected in compliance with the standards specified in Section 22.70.030.B.26.
- 8. Any sign displaying obscene, indecent, or immoral matter as defined under California Penal Code.
 - 9. Signs on awnings or canopies except on the valance.
- 10. Signs that create a hazard by obstructing clear views of pedestrian and vehicular traffic.
 - 11. Portable signs.
 - 12. Mobile signs.
- 13. Any sign (generally known as a "snipe sign,") tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or the exterior of a building or

other structure, where the information appearing thereon is not applicable to the present use of the premises upon which such sign is located. Whenever a sign is found so placed, the same shall constitute prima facie evidence that the person benefited by the sign placed or authorized the placement of the sign.

- 14. Bench signs.
- 15. Banners, including any banner inside a building that is attached to, leaning against, or otherwise placed within ten (10) feet of a window, door, or other opening in the façade of the building in a manner so as to present a message to or attract the attention of the public on adjoining streets, walkways, malls or parking lots available for public use.
- 16. Roof signs and any other graphics which extend, wholly or in part, above the eave line of the structure to which it is attached.
- 17. Any parapet or pergola sign placed above or partially above the parapet or pergola.
 - 18. Logo signs with courtesy panels.
 - 19. Pennants.
 - 20. Signs which cover or interrupt architectural features.
- 21. Signs containing changeable copy, except theater marquee signs, business directories, church and museum signs, gas price signs and restaurant interior menu boards.
- 22. Historical markers placed on the structure, tree or other historical monument itself, except as approved by the Historic Landmarks Commission.
 - 23. Pole signs.
 - 24. Exposed cabinet/raceways behind channel letters.
 - 25. Inflatable signs, except for balloon displays exempted by this Chapter.
- 26. Unless otherwise exempted by this Chapter, digital displays, including any digital display inside a building that is attached to, leaning against, or otherwise placed within ten (10) feet of a window, door, or other opening in the façade of the building in a manner so as to present a message to or attract the attention of the public on adjoining streets, walkways, malls or parking lots available for public use.

D. GENERAL REQUIREMENTS.

- 1. No sign, other than a sign installed by a public agency, shall be allowed to be erected, installed, placed or maintained in or on any public property, including sidewalks and parkways, except off-site open house signs erected in compliance with the standards specified in Section 22.70.030.B.15.
- 2. Churches, schools, and other public or semi-public facilities may have one (1) on-site sign not exceeding eighteen (18) square feet in any area, provided that, except for the name of the premises, the lettering shall not exceed three (3) inches in height, and such signs in residential zones shall not be internally illuminated.
- 3. Any sign which is supported by more than one means and therefore cannot be clearly defined as a ground, marquee, wall, roof, projecting or other sign shall be administratively assigned to the sign category most logically applicable and be subject to the corresponding standards.
- 4. Accessory signs will be considered only if they are designed in conjunction with or made an integral part of the signing existing on the subject building or project. Said signs shall not exceed twenty-five (25%) percent of the building's total signage.

- 5. A temporary window sign in excess of four (4) square feet, or fifteen percent (15%) of the window area of each facade, whichever is greater, requires a permit, unless the sign is otherwise exempt from the permit requirements of this chapter. For a window which is more than twenty-five (25) feet from the public right-of-way, such a sign shall not exceed twenty-five percent (25%) of the window area. Such signs shall not be displayed for more than thirty (30) consecutive days nor for more than a total of sixty (60) days per calendar year. Unless specifically exempted in subsection B above, all illuminated signs erected within ten (10) feet of a window, door, or other opening in the façade of a building in a manner so as to present a message to or attract the attention of the public on adjoining streets, walkways, malls, or parking lots available for public use shall require a permit.
- 6. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy or language translation, shall be used in computing the area of a sign. Signing and illumination shall be on two opposing faces only.
 - 7. In order to calculate the size of a sign, the following provisions apply:
- a. If the sign is enclosed by a box or outline, the area of the sign includes that portion of the sign comprised of said box or outline.
- b. If the sign consists of individual letters attached directly to the building or wall, the size is calculated by drawing a rectangle around each line of copy.
- c. If the sign is a ground sign, the base or support structure shall be included in calculating the height of the sign.
- 8. If a building consists of two (2) or more above-ground stories, no sign shall be allowed more than five feet six inches (5'6") above the second floor line or in conformance with Subsection D.11 below, where applicable.
- 9. Prior to issuance of a sign permit, a ground sign shall be approved by the traffic engineer to ensure that placement of the sign would not adversely affect traffic or pedestrian safety.
- 10. A non-temporary window sign shall be not larger than twenty-five percent (25%) of the window area of the facade on which it is displayed.
- 11. A wall sign may be attached flat against or pinned away from the wall. A wall sign placed in the space between windows on the same story shall not exceed more than two-thirds (2/3) of the height of the window, or major architectural details related thereto. A wall sign placed between windows on adjacent stories shall not exceed two-thirds (2/3) the height of the space between said windows.
- 12. A projecting or hanging sign must clear the nearest sidewalk by a minimum of seven (7) feet and may project no more than four (4) feet into the public right-of-way. Such a sign for a business in the second story of a building is allowed only if the business has a separate street or public parking lot entrance and may be placed at the entrance only.
- 13. A device displaying time or temperature is permitted in all zones except residential zones and designated historic districts, subject to the provisions herein regulating various types of signs. Such devices are limited to one (1) per block. Only a logo is allowed to appear on the same structure as such a device.
- 14. A kiosk is permitted in all non-residential zones, subject to approval by the Sign Committee and (i) the Historic Landmarks Commission if within El Pueblo Viejo Landmark District or another landmark district, or (ii) the Architectural Board of Review

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in other parts of the City.

- 15. A relocated sign shall be considered to be a new sign, unless the relocation is required by a public agency as a result of a public improvement, in which case approval shall be obtained only for the new location and base of the sign.
- 16. Except as otherwise stated in this Chapter, letter height shall be limited to a maximum of twelve (12) inches, except where it can be found that said letter size is inconsistent with building size, architecture and setback from the public right-of-way.
- 17. A ground sign which exceeds six (6) square feet in area shall not be located within seventy-five (75) feet of any other ground sign.
- 18. All signs on parcels immediately adjacent to El Pueblo Viejo Landmark District are subject to El Pueblo Viejo regulations.

Agenda Item No.__

File Code No. 160.06



CITY OF SANTA BARBARA COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Administration Division, Airport Department

SUBJECT: Records Destruction For Airport Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department in the Administration Division.

DISCUSSION:

The City Council adopted Resolution No. 09-098 on December 15, 2009, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

Pursuant to the Manual, the Airport Director submitted a request for records destruction to the City Clerk Services Manager to obtain written consent from the City Attorney. The City Clerk Services Manager agreed that the list of records proposed for destruction conformed to the retention and disposition schedules. The City Attorney has consented in writing to the destruction of the proposed records.

The Airport Director requests the City Council to approve the destruction of the Airport Department records in the Administration Division listed on Exhibit A of the proposed Resolution without retaining a copy.

SUSTAINABILITY IMPACT:

Under the City's Sustainable Santa Barbara Program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

Council Agenda Report Records Destruction For Airport Department June 7, 2011 Page 2

SUBMITTED BY: Karen Ramsdell, Airport Director

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA RELATING TO THE DESTRUCTION OF RECORDS HELD BY THE AIRPORT DEPARTMENT IN THE ADMINISTRATION DIVISON

WHEREAS, the City Council adopted Resolution No. 09-098 on December 15, 2009, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

WHEREAS, the City of Santa Barbara Records Management Policies and Procedures Manual contains the records retention and disposition schedules for all City departments. The records retention and disposition schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice;

WHEREAS, Government Code section 34090 provides that, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy certain city records, documents, instruments, books or papers under the Department Head's charge, without making a copy, if the records are no longer needed;

WHEREAS, the Airport Director submitted a request for the destruction of records held by the Airport Department to the City Clerk Services Manager to obtain written consent from the City Attorney. A list of the records, documents, instruments, books or papers proposed for destruction is attached hereto as Exhibit A and shall hereafter be referred to collectively as the "Records";

WHEREAS, the Records do not include any records affecting title to real property or liens upon real property, court records, records required to be kept by statute, records less than two years old, video or audio recordings that are evidence in any claim or pending litigation, or the minutes, ordinances or resolutions of the City Council or any City board or commission;

WHEREAS, the City Clerk Services Manager agrees that the proposed destruction conforms to the City's retention and disposition schedules;

WHEREAS, the City Attorney consents to the destruction of the Records; and

WHEREAS, the City Council of the City of Santa Barbara finds and determines that the Records are no longer required and may be destroyed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the Airport Director, or her designated representative, is authorized and directed to destroy the Records without retaining a copy.

AIRPORT DEPARTMENT – ADMINISTRATION DIVISION

Records Series Date(s)

11000100	<u> </u>
Aircraft Incident Reports	01-06 thur 04-06
Citizen Injury Reports	01-06 thru 04-06
General Incident Reports	01-06 thru 04-08
Patrol Officer's Daily Logs	01-02 thru 12-07
Runway Inspection Sheets	01-10 thur 04-10
Security Correspondence	01-08 thru 04-09
Towed Vehicle Files	01-06 thru 04-09
Parking Permit Applications	01-04 thru 12-2008
Terminal Building Surveillance Video Tapes	02-02 thru 11-2006
Identification Badge Files	01-09 through 10-10
Administration Financial Files	2007 and older

Agenda	Item	No

File Code No. 540.14



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Creeks Division, Parks and Recreation Department

SUBJECT: Submission Of Grant Application For Non-Point Source Water

Pollution Reduction Project

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Submit an Application to the State Water Resources Control Board for Grant Funding of \$500,000 from the Clean Water State Revolving Fund (CWSRF) for the Infrastructure Retrofit – Storm Water Quality Improvement Project.

DISCUSSION:

Introduction

The California Clean Water State Revolving Fund (CWSRF) provides grants for non-point source pollution prevention projects and has funds available in its 2010/2011 budget for these projects throughout the State. Among other things, the CWSRF guidelines require a City Council resolution authorizing the applicant's representative to sign and file a grant application.

Background

Stormwater and urban runoff from impervious surfaces are major sources of surface water quality degradation. Runoff from parking lots often contains pollutants including hydrocarbons, fine sediments, polycyclic aromatic hydrocarbons (PAHs), metals, nutrients, and additional pollutants that are toxic to aquatic organisms and potentially harmful to human health.

Proposed Project

The Creeks Division intends to install permeable pavers in the City of Santa Barbara's MacKenzie Park Parking Lot to treat stormwater and urban runoff. The primary purpose

Council Agenda Report Submission Of Grant Application For Non-Point Source Water Pollution Reduction Project June 7, 2011 Page 2

of the pavers will be to detain and filter polluted stormwater and incidental urban runoff through passive infiltration, without compromising the existing use of the parking lot or surrounding structures. A secondary purpose of this project will be to serve as a demonstration of how to retrofit existing parking lots to improve water quality while minimizing the cost of construction and post construction maintenance.

MacKenzie Park Parking Lot was chosen for several reasons including its deep groundwater table, simple shape and stormwater runoff conveyance, and location situated a safe distance from existing underground contamination plumes. Due to some constraints of the site, the volume of runoff to be treated, and the need to construct a project with little operational energy or maintenance requirements, an infiltration system utilizing permeable pavers was determined to be the most suitable treatment method for the parking lot.

The design will add six parking spaces to the lower parking lot for a new total of 75 spaces. Construction is planned to begin on August 22, 2011, and is expected to last two weeks.

BUDGET/FINANCIAL INFORMATION:

The Creeks Division is proposing to request a total of \$500,000 in grant funding through the CWSRF program. These grant funds would be sufficient to cover the cost of constructing the project.

SUSTAINABILITY IMPACT:

Stormwater and urban runoff from impervious surfaces are a major source of surface water quality degradation. Infiltrating polluted runoff provides passive treatment at the source, which enhances watersheds and beaches, reduces damaging peak stormwater flows, recharges groundwater, and requires no power consumption for operation.

PREPARED BY: Cameron Benson, Creeks Restoration/Water Quality Manager

SUBMITTED BY: Nancy L. Rapp, Parks and Recreation Director

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE PARKS AND RECREATION DIRECTOR, OR DESIGNEE, TO SUBMIT AN APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD FOR GRANT FUNDING OF \$500,000 FROM THE CLEAN WATER STATE REVOLVING FUND (CWSRF) FOR THE INFRASTRUCTURE RETROFIT – STORM WATER QUALITY IMPROVEMENT PROJECT

<u>Infrastructure Retrofit – Storm Water Quality Improvement Project</u>

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF Santa Barbara AS FOLLOWS:

SECTION 1. The Parks and Recreation Director, or designee, is hereby authorized and directed to sign and file, for and on behalf of the City of Santa Barbara, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of The Infrastructure Retrofit – Storm Water Quality Improvement Project.

SECTION 2. The City of Santa Barbara hereby agrees and further does authorize the aforementioned representative or his/her designee to certify that the Agency has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board.

SECTION 3. The Parks and Recreation Director of the City of Santa Barbara or his/her designee is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto and certify financing agreement disbursements on behalf of the City of Santa Barbara.

Agenda	Item	No

File Code No. 520.04



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Patrol Division, Police Department

SUBJECT: Alcoholic Beverage Control Grant Assistance To Local Law

Enforcement Agencies

RECOMMENDATION: That Council:

A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Acceptance of Funding Granted by the Department of Alcoholic Beverage Control for the Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project;

- B. Authorize the Police Chief to execute the grant agreement award; and
- C. Appropriate the City's grant allocation of \$60,000 to the Miscellaneous Grant Fund.

DISCUSSION:

The Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project grant funds will be used to conduct training for alcohol servers and vendors by conducting a LEADS class put on by the Department of Alcoholic Beverage Control (ABC). The Police Department will also provide information through the media to the general community on the reporting of alcohol-related offenses, and establish procedures for better identifying and mitigating law enforcement problems at and near alcohol-vending premises.

Through the use of this grant money, the Police Department will employ a full spectrum of City, County, State and community resources to conduct undercover operations at ABC licensed premises. This will include periodic special alcohol enforcement actions, such as Trap-Door operations and Shoulder-Tap programs. The Police Department will be able to broaden the enforcement of Business and Professions Code violations commonly occurring at alcohol vending establishments by minors and adults who purchase alcohol for minors.

These grant-funded projects will be implemented by the Nightlife Enforcement Team. An information system will be used, which will support a multi-task, multi-agency approach to training, enforcement and mitigation, working with a broad range of business and community organizations. The goals are to promote self-policing by alcohol serving

Council Agenda Report Alcoholic Beverage Control Grant Assistance To Local Law Enforcement Agencies June 7, 2011 Page 2

establishments, increase community involvement in responsible alcohol use, and to reduce the number of alcohol-related incidents involving minors linked with ABC licensees.

The Santa Barbara Police Department is nationally recognized as a leader in Community Oriented Problem Solving and Community Oriented Policing, and has applied these skills to its Nightlife Enforcement Team, presently focused on a large and concentrated number of ABC licensees in the City's central business district.

PREPARED BY: Alex Altavilla, Police Captain

SUBMITTED BY: Camerino Sanchez, Chief of Police

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING ACCEPTANCE OF GRANTED FUNDING BY THE DEPARTMENT **ALCOHOLIC** BEVERAGE CONTROL THE FOR ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE TO LOCAL LAW **ENFORCEMENT** AGENCIES PROJECT.

WHEREAS, the Santa Barbara Police Department desires to undertake a certain project designated Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project to be funded from funds made available through the Grant Assistance Program to Local Law Enforcement Agencies Project (hereafter referred to as GAP) administered by the Department of Alcoholic Beverage Control (hereafter referred to as ABC).

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Police Chief of the City of Santa Barbara is authorized to submit the GAP Project proposal to ABC and is authorized to sign and approve on behalf of the City Council of the City of Santa Barbara the grant award agreement, in a form approved by the City Attorney, including any extensions of amendments thereof.

SECTION 2. This grant is funded by the Alcoholic Beverage Control GAP project and no matching funds are required from the City of Santa Barbara per the funding and regulations of the Alcoholic Beverage Control.

SECTION 3. The City of Santa Barbara agrees to indemnify, defend, and save harmless the State, its officers, agents and employees from any and all claims to any person, firm or corporation furnishing work services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses occurring or resulting to any person, firm, or corporation who may be injured or damaged by the City of Santa Barbara in the performance of this grant.

SECTION 4. This consideration to be paid to the City of Santa Barbara, as provided by the grant, shall be in compensation for the City's expenses incurred in the performance hereof, including travel and per diem.

SECTION 5. The City Council of the City of Santa Barbara hereby approves and authorizes the Police Chief to execute the grant agreement award of \$60,000 for the GAP Project through June 30, 2012.

Agenda	Item	No	

File Code No. 540.13



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Approval Of Emergency Purchase Order For Digester Building

Sludge Line Repair At The El Estero Wastewater Treatment Plant

RECOMMENDATION:

That Council authorize the General Services Manager to award an after-the-fact Purchase Order Contract in the amount of \$66,640 to Lash Construction, Inc. (Lash), for the emergency repair of the Digester Building Sludge Lines at the El Estero Wastewater Treatment Plant (El Estero).

DISCUSSION:

City staff recently identified the El Estero sludge system piping to be in need of immediate repair. This sludge piping is part of the Digester Building sludge pump system and is shared by both digesters at El Estero.

The sludge piping in the pump system is shared by both digesters at El Estero. These digesters are critical to the wastewater treatment for processing biosolids. The digesters produce over 100,000 cubic feet of methane gas per day and store 1.6 million gallons of digested biosolids. Failure of this sludge pump system would cause sludge digestion process problems that could impact existing El Estero regulatory permit compliance.

Lash was selected as a sole source vendor. While staff contacted two vendors in the immediate area who were capable of handling this type of repair, only Lash had the required materials on hand and was able to respond within the necessary time frame.

Normally, a formal bidding process would be followed to secure a contractor, and the contract would be subject to the approval of City Council. However, because of the urgent nature of the repairs, there was insufficient time to follow that process. The Purchasing Code gives staff the authority to execute a contract under these situations and provides that Council approve the item as soon as practical.

Council Agenda Report
Approval Of Emergency Purchase Order For Digester Building Sludge Line Repair At The
El Estero Wastewater Treatment Plant
June 7, 2011
Page 2

PROPOSED WORK:

The emergency work consists of the removal and replacement of existing six inch and eight inch diameter steel sludge lines and the reconstruction of brackets for approximately 120 linear feet of piping. The emergency work began on Monday, May 9, 2011, and is expected to be completed within 90 calendar days.

BUDGET/FINANCIAL INFORMATION

There are sufficient funds in the Wastewater Capital Fund to cover the repair costs...

PREPARED BY: Christopher Toth, Wastewater System Manager/avb

SUBMITTED BY: Christine F. Andersen, Public Works Director

Agenda Item No.	
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File Code No. 540.13



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Approval Of Emergency Purchase Orders For Response To Milpas

Roundabout Sewer Main Break

RECOMMENDATION:

That Council authorize the General Services Manager to approve after-the-fact Emergency Purchase Orders to:

- A. Tierra Contracting, Inc. (Tierra), for assisting City staff with emergency response services to prepare the site and install a temporary bypass pumping system at the Milpas Roundabout, in an amount not to exceed \$24,000;
- B. Rain For Rent for providing rental and delivery of a temporary bypass pumping system at the Milpas Roundabout, in an amount not to exceed \$23,668.90; and
- C. Southland Water Technologies for delivery and installation of a wireless level sensing alarm and a one-year service contract, in an amount not to exceed \$2.654.50.

DISCUSSION:

On March 31, 2011, Wastewater Collection staff was notified that a Caltrans contractor, working on Highway 101, had inadvertently hit a 12-inch diameter sewer main that runs beneath the highway at the Milpas Roundabout while conducting pile-driving work. The resulting break closed Milpas Street and the Milpas Roundabout while Wastewater Collection staff, along with Tierra, worked to contain the sewage and install an emergency temporary sewer by-pass with materials and equipment supplied by the vendor, Rain for Rent.

These vendors were selected because they were the only providers in the immediate area who had the necessary equipment and the ability to respond to this emergency situation. Each of these vendors has a proven record with the City of being able to respond quickly and effectively to similar types of emergencies.

The nature and location of the broken sewer main created additional complications that made it difficult to determine the most effective way to make a permanent repair to the

Council Agenda Report
Approval Of Emergency Purchase Orders For Response To Milpas Roundabout Sewer
Main Break
June 7, 2011
Page 2

12-inch sewer line. Until a permanent repair can be made, the temporary sewer bypass system must remain in place. At this time, it is estimated that it will take three to four months to design and complete the final repair project.

The purchase order to Southland Technologies is for the installation and maintenance of a level sensing alarm placed up stream of the emergency pump. If the pump should fail, rising water levels upstream of the pump will trigger an alarm, alerting staff who can respond to prevent a sewer spill.

The Purchasing Code allows staff to bypass the formal bidding processes for selecting a contractor and executing contracts in emergency situations, such as this. The Code also requires that staff bring the contracts to Council for after-the-fact approval as soon as practical.

BUDGET/FINANCIAL INFORMATION:

Funds from the Wastewater Fund capital budget were used to cover these emergency expenses. Staff will seek reimbursement from Caltrans for all expenses related to this break.

PREPARED BY: Christopher Toth, Wastewater System Manager/avb

SUBMITTED BY: Christine F. Andersen, Public Works Director

Agenda Item No.	
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File Code No. 540.13



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Contract For Development Of Wastewater Collection System

Strategic Management Program, Phase II

RECOMMENDATION:

That Council authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$144,820 to continue development of the Collection System Capital Planning and related Sewer System Management Plan activities, and authorize the Public Works Director to approve expenditures of up to \$14,482 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$159,302.

DISCUSSION:

Background

The City of Santa Barbara owns and operates approximately 277 miles of wastewater collection system pipes and nine lift stations. Annual operating expenditures for the Collection System Section average approximately \$3 million. Capital expenditures for the collection system pipes and lift stations average \$1.5 million per year, for an annual average total expenditure of approximately \$4.5 million. Historically, the City has reported a low number of spills from the system. In an effort to ensure that spill rates remain low, staff has taken a number of steps to increase the amount and effectiveness of sewer pipe cleaning, including:

- Technical training for Collection System staff in pipe cleaning techniques;
- Installation of Global Positioning System (GPS) units on vehicles to verify cleaning practices;
- Rental of a pipeline cleaning vehicle to backfill for equipment unavailable due to breakdown; and
- Contracting for pipeline cleaning to increase the number of miles cleaned

These actions effectively reduced the number of spills in the second half of 2010 and first five months of 2011.

Council Agenda Report
Contract For Development of Wastewater Collection System Strategic Management
Program, Phase II
June 7, 2011
Page 2

Additionally, the City of Santa Barbara contracted with Brown & Caldwell to develop and implement a comprehensive system to manage the prioritization of pipeline cleaning and replacement. This project has been structured into two phases:

Phase I: Development of a Comprehensive Maintenance Management Program
Phase II: Development of a needs-based Capital Improvement Program (CIP)
prioritization schedule for pipe replacement or rehabilitation

Phase I of this contract work was approved by City Council on January 11, 2011, and is nearing completion. At the January 11th Council meeting, staff informed Council that they would be returning for authorization of this second phase of work. The work to be performed in Phase II is summarized in the following paragraphs.

Phase II - Collection System Capital Planning and Sewer System Management Plan Update

The current approach to identifying pipes for CIP repair or replacement is based on staff knowledge. Staff desires to use the Cartegraph Computerized Maintenance Management Software (Cartegraph) to develop a repair/replacement planning process based on pipe condition. To do so, information on age, pipe material, structural condition, criticalness, and maintenance requirements will need to be developed and built into Cartegraph to prioritize CIP planning. Developing a comprehensive database for CIP planning will allow staff to project more long-term needs, instead of being limited to the two or three-year outlook plan that is currently available. Brown and Caldwell will also evaluate the wastewater lift stations for rehabilitation needs in order to identify and prioritize future capital needs.

Other Phase II work includes developing a workload management system to prioritize restaurant inspections; evaluating the priority and need for future flow monitoring programs; and updating the City's required Sewer System Management Plan. All of these work items are requirements of the City's permit for the wastewater collection system. This work is scheduled to take approximately six months to complete.

Staff issued a Request for Proposals (RFP) for this project to more than a dozen firms. Staff received three proposals, and Brown and Caldwell was unanimously determined by a panel of staff and a member of the Water Commission to have submitted the most complete response to the RFP. Brown and Caldwell also had the lowest cost proposal. Accordingly, staff recommended Brown and Caldwell for selection and, at its meeting of November 8, 2010, the Water Commission voted 5/0 to concur with staff's recommendation.

BUDGET/FINANCIAL INFORMATION:

The cost for the second phase of work is \$159,302. Staff seeks authorization to have the Public Works Director execute this second contract. There are adequate appropriated funds in the Wastewater Capital Fund to cover the costs.

Council Agenda Report Contract For Development of Wastewater Collection System Strategic Management Program, Phase II June 7, 2011 Page 3

SUSTAINABILITY IMPACT:

Improving collection system performance and prioritizing CIP projects will result in a decrease in spills and the resulting discharges of wastewater to the environment.

PREPARED BY: Christopher Toth, Wastewater System Manager/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

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File Code No. 150.05



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Agreement With The Santa Barbara Metropolitan Transit District For

Transit Services

RECOMMENDATION:

That Council authorize the Public Works Director to execute a two-year Master Agreement (Agreement) for fiscal years 2012 and 2013, in a form of agreement acceptable to the City Attorney, with the Santa Barbara Metropolitan Transit District (MTD) for transit services in an amount not to exceed \$1,391,521 for Fiscal Year 2012.

DISCUSSION:

The Fiscal Year 2011 Master Agreement with MTD for the Downtown/Waterfront Shuttle and the Commuter Lot Shuttle expires on June 30, 2011. The MTD Board approved the renewal of the Agreement at their May 31, 2011, meeting and is requesting that the City also approve the renewal for two years.

This agreement is for services that are not funded directly by Measure A, the replacement to Measure D, which expired on March 31, 2010. MTD became a direct recipient of Measure A funds on April 1, 2010. The City's financial support for the Crosstown Shuttle, Mesa Loop, and Lines 1, 2, and 3 ended on March 31, 2010, and financial support for Lines 6 and 11 ended on June 30, 2010. Under the Measure A Investment Plan, MTD receives 26.05% of the City's Measure A funds directly from the Santa Barbara County Associations of Governments to pay for the above-mentioned transit services.

Downtown/Waterfront Shuttle

MTD will provide between 13,500 and 15,088 hours annually for the Downtown/Waterfront Shuttle. The operating subsidy will remain at the Fiscal Year 2011 level of \$1,188,180. MTD will provide the City with the actual shuttle fare as a credit to the monthly shuttle service invoice. The City's estimated annual revenue from the shuttle fare (i.e. "Fare Box Revenue") for Fiscal Year 2012 is \$120,000. The operating subsidy that the City provides to MTD is considered to be a fare "buy down",

Council Agenda Report Agreement With The Santa Barbara Metropolitan Transit District For Transit Services June 7, 2011 Page 2

reducing the shuttle fare from \$1.75 to the current rate of \$0.25. MTD's hourly rate for Fiscal Year 2012 will be \$78.75.

Commuter Lot Shuttle

This Agreement also allows 2,537 hours of service for the Commuter Lot Shuttle between the Cota and Carrillo Commuter Lots and Downtown businesses. Of these service hours, 1,265 will be applied to the Crosstown Shuttle for service to the Cota Commuter Lot. The proposed Fiscal Year 2012 Commuter Lot Shuttle Service Agreement has an hourly subsidy of \$80.15. The total operating subsidy for the Commuter Lot Shuttle will remain at the Fiscal Year 2011 level of \$203,341.

Funding Provisions

The total City funds for this Master Agreement are:

OPERATING SUPPORT	Fiscal Year 2012
Downtown/Waterfront Shuttle	\$1,188,180
Commuter Lot Shuttle	<u>\$203,341</u>
Total:	\$1,391,521

Proposed Source of Funding:

Fiscal Year 2012

Measure "A" Fund (Operations)	\$577,545
General Fund (Transfer from RDA Fund)	\$300,000
Downtown Parking Fund	\$393,976
Fare Box Revenue (Credit)	<u>\$120,000</u>
Total:	\$1,391,521

SUSTAINABILITY IMPACT

The transit support provided under the terms of the Master Agreement contribute towards the City's goal of increasing the availability of public transit, thereby making the use of a car a choice, not a necessity.

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

Agenda Item No	

File Code No. 670.01



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Renewal Of Agreement For Paratransit Services With Easy Lift

Transportation, Incorporated

RECOMMENDATION:

That Council authorize the Public Works Director to execute an agreement with Easy Lift Transportation, Incorporated (Easy Lift), for paratransit services for elderly and mobility-impaired people, in an amount not to exceed \$229,416.73 for Fiscal Year 2012.

DISCUSSION:

Easy Lift is a non-profit agency that provides paratransit services throughout the South County area. The City has had an Agreement with Easy Lift since 1990, whereby the City subsidizes Easy Lift's paratransit services from Measure D funds. Measure A, which is the new sales tax measure for transportation that replaced Measure D, went into effect on April 1, 2010. The Easy Lift contract is now paid out of Measure A funds.

Under the requirement of the Measure A Investment Plan, the City must use at least 10% of its Measure A funds for forms of alternative transportation. This Agreement complies with the rules governing the implementation of Measure A, as approved by the voters of the County of Santa Barbara. Currently, Easy Lift reports that 73% of the rides provided in the past 12 months have been for residents of the City of Santa Barbara.

Easy Lift provides vital transportation services to the disabled community, and staff is recommending the continuation of financial support to Easy Lift at the current contract level.

BUDGET/FINANCIAL INFORMATION:

The Public Works Department operating budget for Fiscal Year 2012 has budgeted \$229,416.73 from Measure A funds for the Easy Lift Transportation contract.

Council Agenda Report Renewal Of Agreement For Paratransit Services With Easy Lift Transportation, Incorporated June 7, 2011 Page 2

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

Agenda	Item	No.

File Code No. 520.04



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Chief's Staff, Police Department

SUBJECT: Appropriation Of Auto Theft Funds

RECOMMENDATION:

That Council increase appropriations by \$6,400 in the Police Asset Forfeiture and Grants Fund from Auto Theft Program reserves for use in the production and airing of a Public Service Announcement commercial educating the public on preventing auto theft.

DISCUSSION:

The Santa Barbara Police Department has found that the creation and dissemination of television commercials can be very effective in educating members of the public about how to minimize their vulnerability to victimization. The Police Department is in the process of producing a television commercial addressing the issue of auto theft and how the public can reduce the likelihood of being victimized by taking some simple precautions. The Police Department is working with KEYT to produce and air the commercials. The actors are City police officers. The cost for the production of the video is \$500 and the airing time is \$5,900 for a total of \$6,400. The cost includes airing 147 spots of 30 seconds each. The time of day that the spots are aired will vary between morning, midday, and evening, which will cover the majority of the desired audience.

BUDGETARY INFORMATION:

Reserve funds are available in the Police Asset Forfeiture and Grants Fund.

PREPARED BY: Armando Martel, Captain

SUBMITTED BY: Camerino Sanchez, Chief of Police

CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY MINUTES

Regular Meeting March 15, 2011 Council Chamber, 735 Anacapa Street

CALL TO ORDER

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:00 p.m.

ROLL CALL

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Chair Schneider.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Agency Counsel Stephen P. Wiley, Deputy Director Paul Casey, Housing and Redevelopment Manager Brian Bosse, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

No one wished to speak.

CONSENT CALENDAR (Item Nos. 1 – 4)

Motion:

Agency/Council members Francisco/Self to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes (11)

Recommendation: That the Redevelopment Agency Board waive the reading and approve the minutes of the regular meetings of January 11, February 15, and March 1, 2011.

Action: Approved the recommendation.

2. Subject: Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The Seven Months Ended January 31, 2011 (12)

Recommendation: That Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements for the Seven Months Ended January 31, 2011.

Action: Approved the recommendation (March 15, 2011, report from the Fiscal Officer).

3. Subject: Subordination Of Agency Grant Agreements For The Granada Theater (13)

Recommendation: That the Redevelopment Agency Board approve the subordination of two Agency Grant Agreements and two deeds of trust for the Granada Theater to an Access Easement in favor of the two residential condominiums in the Granada Building at 1216 State Street and authorize the Executive Director and Deputy Director to execute a Subordination Agreement in a form approved by Agency Counsel.

Action: Approved the recommendation; Agreement No. 539 (March 15, 2011, report from the Deputy Director).

4. Subject: Contract For Construction For The Ortega Street Bridge Replacement Project (530.04/14)

Recommendation:

- A. That Council accept Federal Highway Administration (FHWA) Grant funding in the total amount of \$3,324,921;
- B. That Council increase appropriations and estimated revenues by \$3,324,921 in the Fiscal Year 2011 Streets Capital Fund for the Ortega Street Bridge Replacement Project (Project) funded by the FHWA Grant;
- C. That Council approve the allocation of transfer of \$147,000 from available appropriations in the Streets Capital Fund from existing projects to partially pay for the City's matching funds required for the Project;
- D. That Council award a contract with Granite Construction Company (Granite) in their low bid amount of \$2,909,893 for construction of the Project, Bid No. 3426;
- E. That Council authorize the Public Works Director to execute the contract and approve expenditures up to \$290,989 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

(Cont'd)

4. (Cont'd)

- F. That Council authorize the Public Works Director to execute a contract with MNS Engineers, Inc. (MNS), in the amount of \$504,380 for construction management support services, and approve expenditures of up to \$50,438 for extra services of MNS that may result from necessary changes in the scope of work;
- G. That Council authorize the Public Works Director to execute a contract with Bengal Engineering (Bengal) in the amount of \$56,495 for design support services during construction, and approve expenditures of up to \$5,649 for extra services of Bengal that may result from necessary changes in the scope of work;
- H. That Council authorize the Public Works Director to execute a contract with Ayars and Associates (Ayars) in the amount of \$33,920 for community outreach services during construction, and approve expenditures of up to \$3,392 for extra services of Ayars that may result from necessary changes in the scope of work;
- I. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for the Funding of Capital Improvements for the Mission Creek Flood Control Enhancements; and
- J. That the Redevelopment Agency Board authorize the expenditure of \$20,000 from the Agency's Mission Creek Flood Control Enhancements project account for demolition costs associated with the Agency's properties at 633 and 635 Bath Street.

Action: Approved the recommendations; City Council Contract Nos. 23,662 - 23,665; City Council Resolution No. 11-013 (March 15, 2011, report from the Public Works Director and Deputy Director/Assistant City Administrator/Community Development Director).

REDEVELOPMENT AGENCY REPORTS

5. Subject: Proposed Grant To Housing Authority Of The City Of Santa Barbara For Purchase Of Property At 1020 Placido Avenue (520.04/17)

Recommendation:

A. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Adopting the Findings Required by Health and Safety Code Section 33445 for the Grant Funding for the Acquisition of 1020 Placido Avenue, Located in the Central City Redevelopment Project Area, by the Housing Authority of the City of Santa Barbara, and Authorizing Certain Other Actions; and

(Cont'd)

5. (Cont'd)

B. That the Redevelopment Agency Board approve a \$865,000 grant in Redevelopment Agency capital funds for the acquisition of the property by the Housing Authority of the City of Santa Barbara at 1020 Placido Avenue as a possible location for the Project Recovery Detox Facility, and authorize the Agency's Executive Director to enter into a grant agreement in a form acceptable to Agency Counsel.

Documents:

- March 15, 2011, report from the Deputy Director/Assistant City Administrator/Community Development Director.
- Summary Report Pursuant to Section 33679 of California Health and Safety Code.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- March 14, 2011, e-mail from Kevin Moore.
- March 15, 2011, e-mail from Delia Smith.

The title of the resolution was read.

Public Comment Opened: 2:13 p.m.

Speakers:

- Staff: Housing and Redevelopment Manager Brian Bosse, Agency Counsel/City Attorney Stephen Wiley.
- Housing Authority of City of Santa Barbara: Executive Director Robert Pearson.
- Council on Alcoholism and Drug Abuse: Director of Administration Wim Verkaik.
- Members of the Public: Aurelio Bocanegra; Chuck Bergquist, Council on Alcoholism and Drug Abuse; Victoria Mather; Jeff Money; Dave Hopkins, South Coast Homeless Advisory Committee; Pat O'Connor; Joyce Dudley, Santa Barbara County District Attorney; Sharon Byrne, Milpas Community Association; Emmet Hawkes; David Hughes; Fred Clough, Council on Alcoholism and Drug Abuse; Ann Detrick, County of Santa Barbara Alcohol, Drug & Mental Health Services; Bill Batty, Family Service Agency; Jeanette Sanchez; Penny Jenkins, Council on Alcoholism and Drug Abuse; Brittany Odermann Heaton; Jim Heaton; Jim Cadenhead; Rebecca Long; Nancy Caponi; Carolyn Clancy; Nancy Gottlieb; Andrew Davis; Geof Bard; Robert Burke.

(Cont'd)

5.	(Cont'd)
O. 1	COLL G

Public Comment Closed: 3:18 p.m.

Motion:

Agency/Council members House/White to approve the recommendations, directing Staff to revise the proposed resolution to clarify the required findings and resubmit it for Council's approval; Redevelopment Agency Agreement No. 538.

Vote:

Majority voice vote (Noes: Agency/Council member Self; Absent: Agency/Council member Rowse).

ADJOURNMENT

Chair Schneider adjourned the meeting at 6:28 p.m.

SANTA BARBARA REDEVELOPMENT AGENCY	SANTA BARBARA CITY CLERK'S OFFICE	
HELENE SCHNEIDER CHAIR	SUSAN TSCHECH, CMC DEPUTY CITY CLERK	

CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY MINUTES

Special Meeting March 29, 2011 Council Chamber, 735 Anacapa Street

CALL TO ORDER

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:00 p.m.

ROLL CALL

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Chair Schneider.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Acting Agency Counsel N. Scott Vincent, Deputy Director Paul Casey, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

No one wished to speak.

CONSENT CALENDAR (Item Nos. 1 and 2)

Motion:

Agency members House/White to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

1. Subject: Minutes (14)

Recommendation: That the Redevelopment Agency Board waive the reading and approve the minutes of the special meeting of January 25, 2011, and the regular meeting of February 8, 2011.

Action: Approved the recommendation.

2. Subject: Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The Eight Months Ended February 28, 2011 (15)

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements for the Eight Months Ended February 28, 2011.

Action: Approved the recommendation (March 29, 2011, report from the Fiscal Officer).

ADJOURNMENT

Chair Schneider adjourned the meeting at 4:15 p.m.

SANTA BARBARA REDEVELOPMENT AGENCY	SANTA BARBARA CITY CLERK'S OFFICE	
HELENE SCHNEIDER CHAIR	SUSAN TSCHECH, CMC DEPUTY CITY CLERK	

Agenda Item No



CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY BOARD AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Redevelopment Agency Board

FROM: Accounting Division, Finance Department

Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The Ten Months Ended April 30, 2011 SUBJECT:

RECOMMENDATION:

That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements for the Ten Months Ended April 30, 2011.

DISCUSSION:

The interim financial statements for the ten months ended April 30, 2011 (83.3% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the Redevelopment Agency's General, Housing, and Capital Projects Funds.

ATTACHMENT: Redevelopment Agency Interim Financial Statements for the Ten

Months Ended April 30, 2011

Robert Samario, Fiscal Officer **SUBMITTED BY:**

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA

INTERIM FINANCIAL STATEMENTS
FISCAL YEAR 2011
FOR THE TEN MONTHS
ENDED APRIL 30, 2011

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA General Fund

	Annual Budget		Year-to-date Actual	e Encum- brances		Remaining Balance		Percent of Budget
Revenues:								
Incremental Property Taxes	\$	16,071,200	\$ 15,931,196	\$	_	\$	140,004	99.13%
Investment Income		160,000	199,949		_		(39,949)	124.97%
Interest Loans		5,000	48,615		_		(43,615)	972.30%
Overnight Accommodation Mitigation Fee		-	1,182				(1,182)	0.00%
Rents		22,800	18,749		_		4,051	82.23%
Miscellaneous		22,000			_			0.00%
Total Revenues		16,259,000	7,500 16,207,191				(7,500) 51,809	99.68%
Has of Found Dalamas		4.050.047	4 407 070					00.00%
Use of Fund Balance Total Sources	\$	1,352,847 17,611,847	1,127,373 \$ 17,334,564	\$	<u>-</u>	\$	51,809	83.33% 98.43%
Expenditures:								
Material, Supplies & Services:								
Office Supplies & Expense	\$	3,000	\$ 1,116	\$	-	\$	1,884	37.20%
Mapping, Drafting & Presentation		250	-		-		250	0.00%
Janitorial & Hshld Supplies		100	-		-		100	0.00%
Minor Tools		100	-		-		100	0.00%
Special Supplies & Expenses		5,000	1,921		_		3,079	38.42%
Building Materials		100	.,02.		_		100	0.00%
Equipment Repair		1,000	509				491	50.90%
Professional Services - Contract		747,938	540,413		8,483		199,042	73.39%
					0,403		*	
Legal Services		154,508	135,628		-		18,880	87.78%
Engineering Services		20,000	32,638		-		(12,638)	163.19%
Non-Contractual Services		12,000	2,949		-		9,051	24.58%
Meeting & Travel		7,500	591		-		6,909	7.88%
Mileage Reimbursement		300	-		-		300	0.00%
Dues, Memberships, & Licenses		15,000	14,092		-		908	93.95%
Publications		1,500	141		-		1,359	9.40%
Training		7,500	2,288		-		5,212	30.51%
Advertising		2,000	-		-		2,000	0.00%
Printing and Binding		3,000	68		-		2,932	2.27%
Postage/Delivery		1,000	557		-		443	55.70%
Non-Allocated Telephone		500	_		_		500	0.00%
Vehicle Fuel		1,300	398		_		902	30.62%
Equipment Rental		500	-				500	0.00%
Total Supplies & Services		984,096	733,309		8,483		242,304	75.38%
		001,000		-	0,100		2 12,00 1	10.0070
Allocated Costs:		23.616	19,680				3,936	83.33%
Desktop Maint Replacement		-,-			-			
GIS Allocations		4,754	3,962		-		792	83.34%
Building Maintenance		1,899	1,583		-		316	83.36%
Planned Maintenance Program		3,984	3,320		-		664	83.33%
Vehicle Replacement		3,934	3,278		-		656	83.32%
Vehicle Maintenance		3,874	3,228		-		646	83.32%
Telephone		2,212	1,843		-		369	83.32%
Custodial		4,310	3,592		-		718	83.34%
Communications		3,706	3,088		-		618	83.32%
Property Insurance		6,897	5,747		-		1,150	83.33%
Allocated Facilities Rent		6,770	5,642		-		1,128	83.34%
Overhead Allocation		623,829	519,858		-		103,971	83.33%
Total Allocated Costs		689,785	574,821		-		114,964	83.33%
								_
Special Projects		2,347,444	463,517		37,428		1,846,499	21.34%
Transfers		12,390,249	11,577,436		-		812,813	93.44%
Grants		1,106,003	69,016		28,011		1,008,976	8.77%
Equipment		8,070	-		-		8,070	0.00%
Fiscal Agent Charges		11,500	6,436		-		5,064	55.97%
Appropriated Reserve		74,700	· <u>-</u>		-		74,700	0.00%
	•		e 12.404.505	-	72.000	•		
Total Expenditures	\$	17,611,847	\$ 13,424,535	\$	73,922	\$	4,113,390	76.64%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA Housing Fund

	Annual Budget	Year-to-date Actual	Encum- brances	Remaining Balance	Percent of Budget
Revenues:			•		00.400/
Incremental Property Taxes	\$ 4,017,800	\$ 3,982,799	\$ -	\$ 35,001	99.13%
Investment Income	60,000	52,052	-	7,948	86.75%
Interest Loans	200,000	315,018	-	(115,018)	157.51%
Miscellaneous	4 277 000	1,569		(1,569)	100.00%
Total Revenues	4,277,800	4,351,438	-	(73,638)	101.72%
Use of Fund Balance	4,520,938	3,767,342			83.33%
Total Sources	\$ 8,798,738	\$ 8,118,780	\$ -	\$ (73,638)	92.27%
Expenditures:					
Material, Supplies & Services:					
Office Supplies & Expense	\$ 1,800	\$ 1,100	\$ -	\$ 700	61.11%
Special Supplies & Expenses	1,800	713	-	1,087	39.61%
Equipment Repair	500	504	-	(4)	100.80%
Professional Services - Contract	737,975	547,090	-	190,885	74.13%
Non-Contractual Services	2,000	2,492	-	(492)	124.60%
Meeting & Travel	1,000	703	-	297	70.30%
Dues, Memberships, & Licenses	2,025	2,283	-	(258)	112.74%
Publications	200	130	-	70	65.00%
Training	1,000	802	-	198	80.20%
Postage/Delivery	200	518	-	(318)	259.00%
Total Supplies & Services	748,500	556,335		192,165	74.33%
Allocated Costs:					
Desktop Maintenance Replacement	7,085	5,904	-	1,181	83.33%
GIS Allocations	2,377	1,981	-	396	83.34%
Building Maintenance	950	792	-	158	83.37%
Planned Maintenance Program	2,361	1,968	-	393	83.35%
Telephone	691	576	-	115	83.36%
Custodial	2,189	1,824	-	365	83.33%
Communications	1,235	1,029	-	206	83.32%
Insurance	141	118	-	23	83.69%
Allocated Facilities Rent	4,013	3,344	-	669	83.33%
Overhead Allocation	163,175	135,979	<u>-</u> _	27,196	83.33%
Total Allocated Costs	184,217	153,515		30,702	83.33%
Equipment	2,500	651	-	1,849	26.04%
Housing Activity	7,145,626	2,441,259	-	4,704,367	34.16%
Principal	480,000	480,000	-	-	100.00%
Interest	156,595	156,595	-	-	100.00%
Fiscal Agent Charges	1,300	1,265	-	35	97.31%
Appropriated Reserve	80,000			80,000	0.00%
Total Expenditures	\$ 8,798,738	\$ 3,789,620	\$ -	\$ 5,009,118	43.07%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA Capital Projects Fund

	Annual Budget	Year-to-date Actual	Encum- brances	Remaining Balance	Percent of Budget
Revenues:					
Transfers-In	\$ 4,876,865	\$ 4,064,054	\$ -	\$ 812,811	83.33%
Total Revenues	4,876,865	4,064,054	-	812,811	83.33%
Use of Fund Balance	11,818,085	9,848,458		1,969,627	83.33%
Total Sources	\$ 16,694,950	\$ 13,912,512	\$ -	\$ 2,782,438	83.33%
Expenditures:					
Arbitrage Rebate	\$ 440,000	\$ -	\$ -	\$ 440,000	0.00%
Grant - HACSB 1020 Placido Avenue	865,000	865,000			100.00%
Total Non-Capital Expenditures	1,305,000	865,000		440,000	66.28%
Capital Outlay:					
Finished					
IPM - Sustainable Park Improvements	9,511	-	-	9,511	0.00%
Underground Tank Abatement	69,181	-	-	69,181	0.00%
Fire Station #1 EOC	3,213	1,492	-	1,721	46.44%
Fire Station #1 Remodel	27,864	20,685	-	7,179	74.24%
Soil Remediation - 125 State St	370,063	107,131	2,380	260,552	29.59%
Construction Phase					
Phase II - E Cabrillo Sidewalks	590,226	342,870	88,462	158,894	73.08%
DP Structure (9,10) Const. Imprvmt	2,250,000	711,204	1,168,066	370,730	83.52%
Carrillo Rec Center Restoration	122,089	122,089	-	-	100.00%
Design Phase					
925 De La Vina Rental Costs	302,906	201,211	-	101,695	66.43%
Parking Lot Capital Improvements	188,715	13,956	143,620	31,139	83.50%
Lower West Downtown Street Lighting	750,000	15,187	7,536	727,277	3.03%
Library Plaza Renovation	68,478	-	-	68,478	0.00%
Planning Phase					
Chase Palm Park Light/Electric	568,577	9,985	22,318	536,274	5.68%
Plaza Del Mar Restroom Renovation	212,000	7,898	-	204,102	3.73%
Pershing Park Restroom Renovation	120,000	4,931	-	115,069	4.11%
Panhandling Edu. & Alt. Giving	75,000	46,060	28,940	-	100.00%
PD Locker Room Upgrade	7,149,682	139,746	34,638	6,975,298	2.44%
PD Annex Lease Cost	277,200	91,957	-	185,243	33.17%
Opportunity Acquisition Fund	366,500	-	-	366,500	0.00%
RDA Project Contingency Account	1,220,290	-	-	1,220,290	0.00%
Housing Fund Contingency Account	348,455	-	-	348,455	0.00%
Cabrillo Pav Arts Ctr Assessment St	250,000	1,102	-	248,898	0.44%
State St Pedestrian Amenities Pilot	50,000	4,430	2,060	43,510	12.98%
Total Expenditures	\$ 16,694,950	\$ 2,706,934	\$ 1,498,020	\$ 12,489,996	25.19%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA RDA Bonds - Series 2001A

	Annual		Ye	ear-to-date	Encum-		Remaining		Percent of
		Budget		Actual	bı	ances	E	Balance	Budget
Revenues:									
Investment Income	\$	-	\$	249	\$	-	\$	(249)	100.00%
Transfers-In		_		4,545,554		_	(4,545,554)	100.00%
Total Revenues		-		4,545,803		-	((4,545,803)	100.00%
Use of Fund Balance		3,145,943		2,621,633		-		524,310	83.33%
Total Sources	\$	3,145,943	\$	7,167,436	\$	-	\$ (4,021,493)	227.83%
Expenditures:									
Interest	\$	-	\$	1,530,554	\$	-	((1,530,554)	100.00%
Principal		_		3,015,000		_	((3,015,000)	100.00%
Total Non-Capital Expenditures				4,545,554			(4,545,554)	100.00%
Capital Outlay:									
Finished									
Brinkerhoff Lighting	\$	181,242	\$	83,800	\$	4,100	\$	93,342	48.50%
Construction Phase									
Carrillo Rec Center Restoration		1,000,000		1,000,000		-		-	100.00%
Design Phase									
Mission Creek Flood Control @ Depot		1,964,701				<u> </u>		1,964,701	0.00%
Total Expenditures	\$	3,145,943	\$	5,629,354	\$	4,100	\$ (2,487,511)	179.07%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA

RDA Bonds - Series 2003A

	Annual Budget	Y	ear-to-date Actual	Encum- orances	F	Remaining Balance	Percent of Budget
Revenues:							
Investment Income	\$ -	\$	1,143	\$ -	\$	(1,143)	100.00%
Transfers-In	 -		2,967,828			(2,967,828)	100.00%
Total Revenues	-		2,968,971	-		(2,968,971)	100.00%
Use of Fund Balance	 14,120,129		11,766,838	 		2,353,291	83.33%
Total Sources	\$ 14,120,129	\$	14,735,809	\$ 	\$	(615,680)	104.36%
Expenditures:							
Interest	\$ -	\$	992,830	\$ -	\$	(992,830)	100.00%
Principal	-		1,975,000	<u>-</u>		(1,975,000)	100.00%
Total Non-Capital Expenditures	 		2,967,830	 		(2,967,830)	100.00%
Capital Outlay:							
Finished							
IPM - Sustainable Park Improvements	\$ 816	\$	-	\$ 816	\$	-	100.00%
West Beach Pedestrian Improvements	422,673		226,307	113,739		82,627	80.45%
Anapamu Open Space Enhancements	2,464		-	-		2,464	0.00%
Westside Center Park Improvement	176,414		161,684	19,263		(4,533)	102.57%
West Downtown Improvement	788,535		497,487	43,095		247,953	68.56%
Construction Phase							
Fire Department Administration	3,582,781		223,400	12,534		3,346,847	6.59%
DP Structure #2, 9, 10 Improvements	87,661		57,226	21,975		8,460	90.35%
Carrillo Rec Ctr Restoration	2,349,569		667,529	419,533		1,262,507	46.27%
Design Phase							
Helena Parking Lot Development	489,462		83,180	33,479		372,803	23.83%
Plaza De La Guerra Infrastructure	2,226,069		58,494	71,023		2,096,552	5.82%
Library Plaza Renovation	150,000		34,004	169,048		(53,052)	135.37%
Artist Workspace	525,419		727	-		524,692	0.14%
Planning Phase							
Mission Creek Flood Control @ Depot	535,299		-	-		535,299	0.00%
Mission Creek Flood Control - Park Development	751,367		3,224	20,000		728,143	3.09%
Chase Palm Park Restroom Renovation	186,600		902	-		185,698	0.48%
Downtown Sidewalks	175,000		92,197	-		82,803	52.68%
Chase Palm Park Wisteria Arbor	835,000		-	-		835,000	0.00%
On-Hold Status							
Visitor Center Condo Purchase	500,000		-	-		500,000	0.00%
Lower State Street Sidewalks	335,000		-	-		335,000	0.00%
Total Expenditures	\$ 14,120,129	\$	5,074,191	\$ 924,505	\$	8,121,433	42.48%

Agenda	Item	No.

File Code No. 550.10



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Public Hearing For The Parking And Business Improvement Area

Annual Assessment Report For Fiscal Year 2012

RECOMMENDATION: That Council:

A. Consider appropriate protests to the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2012, as required under the California Parking and Business Improvement Area Law of 1989; and

B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2012, and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2012.

DISCUSSION:

The Parking and Business Improvement Area (PBIA) was established in 1970 in response to La Cumbre Plaza Shopping Center's "Free Parking" campaign. The downtown business community was concerned about losing customers and wanted to offer a similar free period, a perception which is still intact today. In order to accomplish the goal of providing free parking, the downtown business community and the City joined together in a partnership. The original PBIA area contained nine surface lots and approximately 1,100 spaces. There are now five parking structures and seven surface lots, for a total of 3,200 spaces, available to customers 365 days per year. This successful partnership continues to provide affordable, short-term parking rates to customers and visitors of the downtown area.

The funds generated by the PBIA partially finance the operation and maintenance of the parking structures and surface lots, and partially offset the cost of offering the 75-minute free parking period. This 40-year partnership between the downtown business community and the Downtown Parking Program has helped to keep downtown Santa Barbara viable.

The Downtown Parking budget is funded primarily by hourly parking revenues, and to a much lesser extent, by the PBIA and permit sales. The PBIA revenues are directed

Council Agenda Report
Public Hearing For The Parking And Business Improvement Area Annual Assessment
Report For Fiscal Year 2012
June 7, 2011
Page 2

solely towards hourly employee salaries and utility costs in support of the operation of City parking lots. Other revenues, derived from hourly parking charges and permits, support the balance of expenses.

On October 5, 1999, Council adopted Ordinance No. 5126, enacting a new PBIA (Santa Barbara Municipal Code, Chapter 4.37) and Benefit Assessment District pursuant to the State PBIA Law of 1989 (California Streets and Highways Code Sections 36500 - 36551). The Final Engineer's Report, approved by Council on October 5, 1999, and the Addendum to the Final Engineer's Report, approved by Council on May 25, 2010, are on file with the City Clerk's office and provide an explanation of the PBIA assessments. The reports include detailed information on boundaries, benefit zones, and the classifications of businesses, as well as an explanation of how assessments are levied. The PBIA Annual Report brought before Council on May 10, 2011, for an Intention to Levy notification, incorrectly stated the Movie Theater assessment rate as \$.29 cents per \$100 gross sales. The correct assessment rate for Movie Theaters is \$.16 cents per \$100 gross sales, reflecting no changes in the assessment rates for Fiscal Year 2012. For Fiscal Year 2012, there are no proposed changes to the PBIA boundaries, benefit zones, or assessment levels.

Approximately 4.3 million transactions were processed last year. Each of those patrons benefited from the free parking period. Last year's business-paid PBIA assessments contributed approximately \$0.20 per ticket to the maintenance and operation of public parking lots, and to the free period. Revenue from the PBIA provides a rate-structure that promotes short-term customer parking.

Under the law establishing the City's PBIA District, Council is required to conduct an annual Public Hearing to consider protests to the PBIA Annual Assessment Report. Staff has received no protests prior to submittal of this Council Report. On April 14, 2011, the Downtown Parking Committee (DPC), serving as the PBIA Advisory Board, recommended approval of the PBIA Annual Report. On May 10, 2011, Council approved the PBIA Annual Report and set the date for the PBIA Annual Assessment Report Public Hearing for June 7, 2011.

BUDGET/FINANCIAL INFORMATION:

The revenue generated from the PBIA is \$840,000, or 13% of the Parking budget. If the PBIA Annual Report is not approved, the Parking Program will need to consider redirections to the Capital Program Operating Budget, and/or charging for all parking, even short-term.

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.	
----------------	--

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA FIXING AND ASSESSING THE PARKING AND BUSINESS IMPROVEMENT AREA ASSESSMENT RATES FOR FISCAL YEAR 2012, AND CONFIRMING APPROVAL OF THE PARKING AND BUSINESS IMPROVEMENT AREA ANNUAL ASSESSMENT REPORT FOR FISCAL YEAR 2012

WHEREAS, pursuant to Section 4.37.010 of the Municipal Code of the City of Santa Barbara, there is hereby levied upon businesses located within the Downtown Parking and Business Improvement Area (PBIA) a special business assessment rate; and

WHEREAS, the revenues derived from this assessment in Fiscal Year 2012 shall be applied to the cost of providing low cost, customer-oriented public parking in the Downtown of Santa Barbara.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The quarterly assessments shall begin **July 1, 2011**.

SECTION 2. The rates are established pursuant to the schedule provided in the attached Exhibit and applicable sections of all previous resolutions related to the Parking and Business Improvement Area assessments are hereby repealed.

SECTION 3. The attached PBIA Annual Assessment Report for Fiscal Year 2012 (Exhibit A) is hereby confirmed as approved on June 7, 2011.

Parking and Business Improvement Area Business Rates

- I. Retail and/or Wholesale Businesses (Including Restaurants):
 - Group A: Average sale of less than \$20, \$.56 per \$100 of gross sales.
 - Group B: Average sale between \$20 and \$100, \$.29 per \$100 of gross sales.
 - Group C: Average sale of more than \$100, \$.16 per \$100 of gross sales.
 - Group D: Movie theaters only, \$.16 per \$100 of gross sales.
 - Group E: Fitness Facilities/Health Clubs, \$.29 per \$100 of gross sales.

Average sale is computed by dividing the total gross sales for the year by the number of sales transactions.

II. Financial Institutions:

\$.48* per usable square foot.

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

\$.06* per usable square foot.

V. Professional:

\$32.50* per person practicing the profession, and \$16.30 for each non-professional in addition to the above.

VI. Educational Facilities and Miscellaneous Classifications:

Group A: Educational Facilities: \$.19* per usable square foot

Group B: Miscellaneous (All Classifications not otherwise provided for): \$.19* per usable square foot.

VII. Hotel and Motels:

of assessed rooms x 1.50/day x 30 days x 3 months x .50 occupancy = quarterly charges

Assessed rooms = # of rooms (-) on-site parking spaces provided

No patron parking credit would be offered as it is part of the calculation.

^{*}Rates for these categories are shown for annual assessment. To determine quarterly assessments, divide rates by four.

City of Santa Barbara

Parking and Business Improvement Area (PBIA)

ANNUAL ASSESSMENT REPORT

Fiscal Year 2012

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INTRODUCTION

This report, filed annually as required by the California Parking and Business Improvement Law of 1989, will provide an explanation of any proposed changes, including, but not limited to the boundaries of the adopted City of Santa Barbara Downtown Parking and Business Improvement Area (PBIA) or any benefit zones within the area, the basis for levying the assessments, and any changes in the classifications of businesses.

Santa Barbara's Downtown Parking Management Program operates and maintains seven public parking lots and five structures in the Downtown business core area, providing a total of 3,234 parking spaces. The program is oriented towards clients and shoppers, and is directed by the City's Circulation Element to increase the public parking available and reduce the need for employee parking in the Downtown Core. Employee parking is mitigated by Alternative Transportation initiatives to increase carpooling, bicycling, and mass transit programs. The Downtown Parking budget is funded primarily by Hourly Parking Revenues, and to a much lesser extent, by the PBIA and parking permits. The PBIA revenues are directed solely towards employee salaries and utility costs in support of the operation and maintenance of the parking lots. Revenues derived from Hourly Parking charges and permits support the balance of expenses remaining from the PBIA assessment and Alternative Transportation programs designed to reduce employee parking in the Downtown Core.

Attached hereto and incorporated by reference is the "Addendum to the Parking and Business Improvement Area Final Engineer's Report of Formula and Methodology of Assessment dated October 5, 1999" (Addendum), which is on file at the City Clerk's Office, and which shall form the basis of the Annual Report.

I. PROPOSED CHANGES

For Fiscal Year 2012, there are no changes to the PBIA benefit zones, the basis for levying the assessments or any changes in the classifications of businesses.

II. IMPROVEMENTS AND ACTIVITIES

A parking rate, designed to promote short-term customer/client parking, including 75 minutes of free parking, is currently in effect in all City-operated Downtown Parking facilities. These facilities are maintained and operated by the City's Downtown Parking Program.

Due to the loss of on-site parking during the planned structural upgrade construction of City Lot #2 (914 Chapala Street), businesses immediately surrounding the lot will have a reduced parking benefit. Consistent with past practices during construction, a 75% credit in assessment payments shall be provided to those businesses operating on the Assessor Parcel Numbers listed below:

039-281-028	039-321-006	039-321-050	039-321-002	039-313-027	037-400-007
039-281-029	039-321-007	039-321-019	039-321-001	039-313-012	
039-281-036	039-321-033	039-321-048	039-321-045	039-313-021	
039-322-029	039-321-035	039-321-056	039-321-047	039-313-025	
039-322-032	039-321-039	039-321-051	039-321-049	039-313-014	
039-322-024	039-321-041	039-321-055	039-321-046	039-313-023	
039-322-023	039-321-037	039-321-005	039-313-011	037-042-002	
039-322-052	039-321-028	039-321-004	039-313-010	037-042-033	_
039-322-050	039-321-015	039-321-003	039-313-009	037-400-001	

The assessment credit shall be applied to the third quarter of Fiscal Year 2012, January through March.

III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR 2012

		Parking	
Expenses	PBIA	Program	Total
Salaries and Benefits	1,674,695	2,125,012	3,799,707
Materials, Supplies &Services, Equipment/Minor Capital	180,000	571,850	751,850
Allocated Costs	6,321	243,274	249,595
Insurance/Overhead		858,113	858,113
Downtown Organization Maintenance Transfer		297,121	297,121
FMS Replacement Transfer		43,270	43,270
Bikestation		25,000	25,000
New Beginnings Contract		43,500	43,500
MTD Downtown Shuttle Support, Enhanced Transit		393,978	393,978
Employee Bus Pass Program		36,000	36,000
Total Operating Expenses	\$1,861,016	\$4,637,118	\$6,498,134
Capital Program Expenses		1,000,000	1,000,000
Total Expenses		<u>\$5,637,118</u>	<u>\$7,498,134</u>

IV. PROJECTED DOWNTOWN PARKING PROGRAM REVENUES DERIVED

Revenues:	Hourly Parking	\$4,300,000
	Other Parking Fees	796,500
	Leased Property - MTC	267,166
	Workers Compensation Rebates	310,358
	Interest Income	137,600
	Commuter Parking Lots	290,000
	TMP/Rents	
	New Beginnings Contract	43,500
	Special Parking/Misc	
	Subtotal	\$6,196,049
*PBIA ASSESS	<u>\$840,000</u>	
Total Revenues	S	\$7,036,049

Revenues collected from the PBIA subsidized approximately \$0.20 of the cost of providing parking for each vehicle parked within the Downtown Parking System.

V. REVENUE CARRYOVERS

No excess PBIA revenues will be carried over from the 2011 Operating Budget.

VI. PBIA RATES

A more detailed basis for levying the assessment is explained in the Addendum to the 1999 Engineer's Report.

- I. Retail and/or Wholesale Businesses (Including Restaurants):
 - Group A: Average sale of less than \$20, \$.56 per \$100 of gross sales.
 - Group B: Average sale between \$20 and \$100, \$.29 per \$100 of gross sales.
 - Group C: Average sale of more than \$100, \$.16 per \$100 of gross sales.
 - Group D: Movie theaters only, \$.16 per \$100 of gross sales.
 - Group E: Fitness Facilities/Health Clubs, \$.29 per \$100 of gross sales.

Average sale is computed by dividing the total gross sales for the year by the number of sales transactions.

II. Financial Institutions:

\$.48* per square foot of usable space.

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

\$.06* cents per square-foot of usable building space.

V. Professional:

\$32.50* per person practicing the profession, and \$16.30 for each non-professional.

VI. All Categories Not Otherwise Provided For:

Group A: Educational Facilities (non-public) - \$.19* per square foot of usable building space.

Group B: Miscellaneous: \$.19* per square foot of usable space.

VII. Hotel and Motels

of assessed rooms x \$1.50/day x 30 days x 3 months x .50 occupancy = quarterly charges

Assessed rooms = # of rooms (–) on-site parking spaces provided

No patron parking credit would be offered as it is part of the calculation.

^{*}Rates for these categories are shown for annual assessment. To determine quarterly payments, divide rates by four.

Agenda	Item	No

File Code No. 290.00



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Fire Prevention Division, Fire Department

SUBJECT: Renewal Of Levy For Fiscal Year 2012 For The Wildland Fire

Suppression Assessment District

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2012.

DISCUSSION:

On July 11, 2006, the City Council adopted Resolution 06-064 which declared the Council's intention to order expansion of vegetation road clearance, implementation of a defensible space inspection and assistance program, and implementation of a vegetation management program within the Foothill and Extreme Foothill Zones. The Resolution described the special benefit to be assessed and approved an Engineer's Report, confirmed the diagram and assessment, and ordered levy of the Wildland Fire Suppression Assessment District for Fiscal Year 2007. As required by the Resolution, the Assessment must be renewed annually by the Council. The City has renewed the Wildland Fire Suppression Assessment for the past four years.

Assessment funds continue to reduce the risk and severity of wildland fires through the reduction of flammable vegetation. The assessment provides three primary services:

Vegetation Road Clearance: Each year the assessment provides approximately 14 miles of road clearance in the Foothill and Extreme Foothill Zones. The frequency is such that most roads in the District are cleared of impeding vegetation every three years. Clearing vegetation from the roadways is required of property owners by law and allows for safer

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egress of residents and ingress of first responders during an emergency. In Fiscal Year 2011, 17 miles of roadway were cleared to benefit the District.

Defensible Space Inspection and Assistance: This element of the assessment provides assistance to property owners in creating defensible space around their homes. Defensible space is a key element in preventing the ignition of homes during a wildfire by reducing the exposure of the home to burning vegetation. Defensible space assistance will again involve scores of site visits to assist homeowners. In addition, the assessment provides chipping services to residents of the District after the vegetation has been cut. Chipping services provides a cost effective way for homeowners to dispose of cut material. The chipped vegetation may be reused as a ground cover in landscaping.

Vegetation Management: Vegetation Management is the selective removal of flammable vegetation in open land outside of property owner's defensible space. The goal is to lessen the severity of a fire, in the event that one occurs, by depriving the fire of a large amount of fuel. This is accomplished by preferentially removing exotic plants, thinning, pruning and limbing vegetation to remove fire ladders, limbing up the canopy and pruning out dead material. Vegetation management retains the overall look of wildland areas and minimizes impacts to natural resources while reducing the amount of flammable vegetation. Staff works with multiple property owners and contract crews to link individual parcels across large areas of adjacent land. The project areas are identified in the Wildland Fire Plan. Vegetation management was successfully completed on 20 acres this past year.

ANNUAL LEVY:

The Wildland Fire Assessment may be annually increased by the Consumer Price Index (CPI) in an amount not to exceed 4% per year. In adjusting for the Consumer Price Index, the allowable increase is calculated using the CPI from the past year plus any deferred increases from previous years. In the past two fiscal years the assessment was renewed with no increase. For Fiscal Year 2012, which begins July 1, 2011, staff and the Assessment Engineer propose an increase of 3.33%. This increase reflects 1.34% CPI increase from the past year plus 1.99% CPI deferred from previous years. The rate for Fiscal Year 2012, as suggested in the Engineer's Report, will therefore be set at \$72.16 per single family home in the Foothill Zone and \$89.46 per single family home in the Extreme Foothill Zone. The total revenues from the assessment will be \$231,771.

The Fiscal Year 2011 rates were \$69.83 and \$86.58, respectively, for a total assessment of \$221,484. The increase for Fiscal Year 2012 will allow staff to continue to provide the same level of service in all three areas.

As required by Resolution 06-064, an updated Engineer's Report has been prepared and includes the proposed budget and assessment rate. The updated Engineer's Report must be considered by the City Council at a noticed public hearing and serves as the basis for the continuation of the assessments. The updated Engineer's Report is available for

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review at Fire Department Administration, 925 De La Vina Street and the City Clerk's Office at City Hall at 735 Anacapa Street.

<u>Hearing</u>

On May 24, 2011, the Council adopted Resolution No. 11-030 to declare its intent to renew the Wildland Fire Suppression Assessment District within the Foothill and Extreme Foothill Zones and to set a time of 2:00 p.m. on Tuesday, June 7, 2011, in the City Council Chambers for a public hearing on the Wildland Fire Suppression Assessment District. Staff recommends that the Wildland Fire Suppression Assessment District be continued for Fiscal Year 2012 to fund and deliver these successful mitigation programs.

BUDGET/FINANCIAL INFORMATION:

The estimated \$231,771 Fiscal Year 2012 cost of providing services is paid for through revenues from the resident-approved Wildland Fire parcel assessment and is already included in the Fire Department's proposed Fiscal Year 2012 budget.

SUSTAINABILITY IMPACT:

Vegetation removed through vegetation road clearance and the defensible space chipping assistance program is chipped and spread back on to the ground or in areas of local parks where feasible. The goal is reuse at least 80% of all chipped material locally avoiding the cost of disposal fees, extra vehicle trips and landfill use. Non-native pest plants are not chipped, but rather hauled off-site to be disposed of properly.

PREPARED BY: Joe Poiré. Fire Marshal

SUBMITTED BY: Andrew DiMizio, Fire Chief

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING ITS INTENTION TO CONTINUE VEGETATION ROAD CLEARANCE. IMPLEMENTATION OF Α DEFENSIBLE SPACE AND ASSISTANCE PROGRAM, INSPECTION AND IMPLEMENTATION OF A VEGETATION MANAGEMENT PROGRAM WITHIN THE FOOTHILL AND EXTREME FOOTHILL ZONES; DECLARING THE WORK TO BE OF MORE THAN GENERAL OR ORDINARY BENEFIT AND DESCRIBING THE DISTRICT TO BE ASSESSED TO PAY THE COSTS AND EXPENSES THEREOF: APPROVING THE ENGINEER'S REPORT; CONFIRMING DIAGRAM AND ASSESSMENT; AND ORDERING CONTINUATION OF THE WILDLAND FIRE SUPPRESSION ASSESSMENT **DISTRICT FOR FISCAL YEAR 2012**

WHEREAS, on July 11, 2006, by its Resolution No. 06-064, after receiving a weighted majority of ballots in support of the proposed assessment, this Council ordered the formation of and levied the first assessment within the City of Santa Barbara Wildland Fire Suppression Assessment, pursuant to the authority provided in California Government Code Section 50078 et seq. and Article XIIID of the California Constitution;

WHEREAS, although the methodology by which the assessments are applied to properties in the District does not change from year to year, a new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations;

WHEREAS, it is the intention of this Council to levy and collect assessments for the Wildland Fire Suppression Assessment for Fiscal Year 2011-12. Within the Assessment District, the proposed services to be funded by the assessments ("Services") are generally described as including but not limited to, the following: (1) continuation of the vegetation road clearance program to cover all public roads within the Foothill and Extreme Foothill Zones, continuing this program will reduce fuel, enhance evacuation routes, and decrease fire response times; (2) enhancing the defensible space fire prevention inspection and assistance program for all properties in the Foothill and Extreme Foothill Zones; and (3) implementation of a vegetation management program in the Foothill and Extreme Foothill Zones. As applied herein, "vegetation road clearance" means the treatment, clearing, reducing, or changing of vegetation near roadways in the Foothill and Extreme Foothill Zones where vegetation poses a fire hazard and does not meet Fire Department Vegetation Road Clearance Standards within the high fire hazard area (As provided in Santa Barbara Municipal

Code Section 8.04.020.M). "Defensible space" is a perimeter created around a structure where vegetation is treated, cleared or reduced to slow the spread of wildfire towards a structure, reduce the chance of a structure fire burning to the surrounding area, and provides a safe perimeter for firefighters to protect a structure (as provided in Chapter 49 of the California Fire Code, as adopted by the City of Santa Barbara pursuant to Santa Barbara Municipal Code Section 8.04). "Vegetation management" means the reduction of fire hazard through public education, vegetation hazard reduction, and other methods as needed to manage vegetation in areas with unique hazards such as heavy, flammable vegetation, lack of access due to topography and roads, and/or firefighter safety;

WHEREAS, by Resolution No. 11-030 the City Council preliminarily approved the Engineer's Report for said District and set a date for a Public Hearing;

WHEREAS, the Public Hearing was held on June 7, 2011;

WHEREAS, said report was duly made and filed with the City Clerk and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that June 7, 2011, at the hour of 2:00 p.m. in the Council Chambers, City Hall, 735 Anacapa Street, Santa Barbara, were appointed as the time and place for a hearing by this Council on the question of the levy of the proposed assessment, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by the Council, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this council thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The public interest, convenience and necessity require that the levy be made.

SECTION 2. The Assessment District benefited by the fire suppression services and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the City Clerk, which map is made a part hereof by reference thereto.

SECTION 3. The Engineer's Report as a whole and each part thereof, to wit:

- (a) the Engineer's estimate of the itemized and total costs and expenses of the fire suppression services and of the incidental expenses in connection therewith;
- (b) the diagram showing the assessment district, plans and specifications for the fire suppression services and the boundaries and dimensions of the respective lots and parcels of land within the Assessment District; and
- (c) the assessment of the total amount of the cost and expenses of the proposed fire suppression services upon the several lots and parcels of land in the Assessment District in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto; are finally approved and confirmed.

SECTION 4. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Council.

SECTION 5. That assessments for fiscal year 2011-12 shall be levied at the rate of SEVENTY TWO DOLLARS AND SIXTEEN CENTS (\$72.16) per single-family equivalent benefit unit in the Foothill Zone and EIGHTY NINE DOLLARS AND FORTY SIX CENTS (\$89.46) in the Extreme Foothill Zone for fiscal year 2011-12 per single family equivalent benefit. The estimated fiscal year 2011-12 cost of providing the Services is \$231,771; and

SECTION 6. The assessment to pay the costs and expenses of the fire suppression services for fiscal year 2011-12 is hereby levied.

SECTION 7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the fire suppression services at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

SECTION 8. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Santa Barbara. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and

all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the City of Santa Barbara Wildland Fire Suppression Assessment District.

SECTION 9. Upon receipt of the moneys representing assessments collected by the County, the County shall deposit the moneys in the City Treasury to the credit of the improvement fund previously established under the distinctive designation of the Assessment District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the fire suppression services.

SECTION 10. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.



PRELIMINARY ENGINEER'S REPORT

May 2011

PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50078 ET SEQ., AND ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:

SCIConsultingGroup

4745 Mangels Boulevard Fairfield, California 94534 Phone 707.430.4300 Fax 707.430.4319 www.sci-cg.com

CITY OF SANTA BARBARA

CITY COUNCIL

Helene Schneider, Mayor Bendy White, Councilmember Dale Francisco, Councilmember Frank Hotchkiss, Councilmember Grant House, Councilmember Randy Rowse, Councilmember Michael Self, Councilmember

FIRE PREVENTION BUREAU

Andy DiMizio, Fire Chief Joe Poire, Fire Marshal Amber Anderson, Fire Services Specialist

CITY ATTORNEY'S OFFICE

Stephen P. Wiley, City Attorney Sarah Knecht, Assistant City Attorney

ENGINEER OF WORK

SCI Consulting Group



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The City of Santa Barbara is located about 100 miles northwest of Los Angeles, largely on the slopes between the Pacific Ocean and the Santa Ynez Mountains. The City of Santa Barbara provides fire services throughout the City limits. Fire services include fire suppression, protection, prevention, evacuation planning, and education.

Due to topography, location, climate and infrastructure, the Santa Barbara community has a relatively high inherent risk of wildland fires. Listed below are some of the major wildland fires that have occurred in Santa Barbara County since 1970:

FIGURE 1 – WILDLAND FIRE HISTORY IN SANTA BARBARA COUNTY

Year	Fire Name	Acres	Homes Lost
1971	Romero Canyon Fire	14,538	4
1977	Sycamore Canyon Fire	805	234
1977	Hondo Canyon Fire	10,000	0
1979	Eagle Canyon Fire	4,530	5
1990	Painted Cave Fire	4,900	524
1993	Marre Fire	43,864	0
2002	Sudden Fire	7,160	0
2004	Gaviota Fire	7,440	1
2008	Tea Fire	>2,000	≈ 210
2009	Jesusita Fire	8,733	80

In response to the considerable wildland fire risk in the area, the City of Santa Barbara Fire Department prepared a Wildland Fire Plan in January, 2004, in which it identified four High Fire Hazard Zones: The Coastal Zone, the Coastal Interior Zone, the Foothill Zone, and the Extreme Foothill Zone. The two Zones with the highest wildland fire risk are the Foothill and Extreme Foothill Zones (the "Zones"), and these are the Zones that are included in this assessment.

These Zones are at a high risk of wildland fires due to the following factors:

- Climate. The climate consists of cool, moist winters and hot, dry summers. The low humidity and high summer temperatures increase the likelihood that a spark will ignite a fire in the area, and that the fire will spread rapidly.
- Topography. Periodic wind conditions known as "Sundowner" and "Santa Ana" winds interact with the steep slopes in the Santa Ynez Mountains and the ocean



- influence, resulting in an increase in the speed of the wind to severe levels. These two types of wind conditions increase the likelihood that fires will advance downslope towards the Foothill and Extreme Foothill Zones. In addition, these winds can greatly increase the rate at which a fire will spread.
- Chaparral. Much of the undeveloped landscape is covered with chaparral. Chaparral sheds woody, dead, and organic materials rich in flammable oils, which accumulate over time. Areas covered with chaparral typically experience wildland fires which burn the accumulated plant materials, and renew the chaparral for its next cycle of growth. Therefore, areas of chaparral which are not thinned, and from which the dead plant materials are not removed or burned off in prescribed fires, provide ample opportunities for wildland fires to occur and to spread.
- Road Systems. Many of the roads in the Foothill and Extreme Foothill Zones do not meet current Fire Department access and vegetation road clearance standards, and many are made even more narrow due to the encroachment of vegetation. A number of the bridges have weight requirements that are below Fire Department weight standards. In addition, many driveways are long and steep, posing a safety hazard. All of these factors make it more difficult and more hazardous for the Fire Department to provide fire suppression services in these areas.
- Water Supply. In the Extreme Foothill Zone, the City water supply is limited in some areas, and not available in others. These factors increase the risks associated with fires, due to the reduced availability of water to fight any fires that occur.
- Fire Response Time. Much of the Extreme Foothill Zone, and some of the Foothill Zone, is outside the City's 4 minute Fire Department response time. As a result, fires in these areas may have more time to spread and to increase in severity before fire suppression equipment can reach them.
- Proximity to the Los Padres National Forest. The Los Padres National Forest (LPNF) is a large forest to the north of the Foothill and Extreme Foothill zones. The LPNF provides a great deal of potential fuel for any wildland fire in the area. Wildland fires that start in the LPNF have the potential to move south toward the Foothill and Extreme Foothill zones.

This Engineer's Report (the "Report") was prepared to: 1) contain the information required by Government Code Section 50078.4, including a) a description of each lot or parcel of property to be subject to the assessment, b) the amount of the assessment for each lot or parcel for the initial fiscal year, c) the maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year, d) the duration of the assessment, e) the basis of the assessment, f) the schedule of the assessment, and g) a description



specifying the requirements for protest and hearing procedures for the assessment pursuant to Section 50078.6; 2) establish a budget to provide services to reduce the severity and damage from wildland fires (the "Services") that will be funded by the 2011-12 assessments; 3) determine the benefits received from the Services by property within the City of Santa Barbara Wildland Fire Suppression Assessment District (the "Assessment District") and; 4) assign a method of assessment apportionment to lots and parcels within the Assessment District. This Report and the assessments have been made pursuant to the California Government Code Section 50078 et. seq. (the "Code") and Article XIIID of the California Constitution (the "Article").

In Fiscal Year 2006-07, the City of Santa Barbara City Council (the "Council") by Resolution called for an assessment ballot proceeding and public hearing on the then-proposed establishment of a wildland fire suppression assessment.

On May 5, 2006 a notice of assessment and assessment ballot was mailed to property owners within the proposed Assessment District boundaries. Such notice included a description of the Services to be funded by the proposed assessments, a proposed assessment amount for each parcel owned, and an explanation of the method of voting on the assessments. Each notice also included a postage prepaid ballot on which the property owner could mark his or her approval or disapproval of the proposed assessments as well as affix his or her signature.

After the ballots were mailed to property owners in the Assessment District, the required minimum 45 day time period was provided for the return of the assessment ballots. Following this 45 day time period, a public hearing was held on June 20, 2006 for the purpose of allowing public testimony regarding the proposed assessments. At the public hearing, the public had the opportunity to speak on the issue. After the conclusion of the public input portion of the hearing, the hearing was continued to July 11, 2006 to allow time for the tabulation of ballots.

With the passage of Proposition 218 on November 6, 1996, The Right to Vote on Taxes Act, now Article XIIIC and XIIID of the California Constitution, the proposed assessments could be levied for fiscal year 2006-07, and continued in future years, only if the ballots submitted in favor of the assessments were greater than the ballots submitted in opposition to the assessments. (Each ballot is weighted by the amount of proposed assessment for the property that it represents).

After the conclusion of the public input portion of the Public Hearing held on June 20, 2006, all valid received ballots were tabulated by the City of Santa Barbara Clerk. At the



continued public hearing on July 11, 2006, after the ballots were tabulated, it was determined that the assessment ballots submitted in opposition to the proposed assessments did not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted).

As a result, the Council gained the authority to approve the levy of the assessments for fiscal year 2006-07 and future years. The Council took action, by a Resolution passed on July 31, 2006, to approve the first year levy of the assessments for fiscal year 2006-07.

The authority granted by the ballot proceeding was for a maximum assessment rate of \$65.00 per single family home, increased each subsequent year by the Los Angeles Area Consumer Price Index (CPI) not to exceed 4% per year. In the event that the annual change in the CPI exceeds 4%, any percentage change in excess of 4% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 4%.

In each subsequent year for which the assessments will be continued, the Council must preliminarily approve at a public meeting a budget for the upcoming fiscal year's costs and services, an updated annual Engineer's Report, and an updated assessment roll listing all parcels and their proposed assessments for the upcoming fiscal year. A new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations. At this meeting, the Council will also call for the publication in a local newspaper of a legal notice of the intent to continue the assessments for the next fiscal year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Council prior to the Council's decision on continuing the services and assessments for the next fiscal year.

If the assessments are so confirmed and approved, the levies will be submitted to the Santa Barbara County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2011-12. The levy and collection of the assessments will continue year-to-year until terminated by the City Council.

If the City Council approves this Engineer's Report for fiscal year 2011-12 and the assessments by Resolution, a notice of assessment levies must be published in a local



paper at least 10 days prior to the date of the public hearing. Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the proposed continuation of the assessments for fiscal year 2011-12.

At this hearing, the Council will consider approval of a resolution confirming the assessments for fiscal year 2011-12. If so confirmed and approved, the assessments will be submitted to the Santa Barbara County Auditor/Controller for inclusion on the property tax rolls for Fiscal Year 2011-12.

The Assessment District is narrowly drawn to include only properties that benefit from the additional fire protection services that are provided by the assessment funds. The Assessment Diagram included in this report shows the boundaries of the Assessment District.

In 2008 per California Public Resource Code 4201-4204 and Government Code 51175 - 89, the Office of the State Fire Marshal (OSFM) completed an analysis to identify Local Responsibility Area areas of Very High Fire Hazard Severity Zones (VHFHSZ) within the City of Santa Barbara. Discussions between OSFM and the City of Santa Barbara Fire Department were concluded in 2010. As a result additional parcels have been added to the 2004 City of Santa Barbara high fire hazard area, Foothill Zone. These additional parcels are not included in the Wildland Fire Suppression Assessment District at this time, and wildland fire suppression services provided to these parcels are not funded from this assessment.

Proposition 218

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIIC and XIIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements were satisfied by the process used to establish this assessment.



SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant legal document in further legally clarifying Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Assessment District

This Engineer's Report is consistent with the SVTA vs. SCCOSA decision and with the requirements of Article XIIIC and XIIID of the California Constitution because the Services to be funded are clearly defined; the Services are available to all benefiting property in the Assessment District, the benefiting property in the Assessment District will directly and tangibly benefit from improved protection from fire damage, increased safety of property and other special benefits and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. There have been a number of clarifications made to the analysis, findings and supporting text in this Report to ensure that this consistency is well communicated.

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the Court of Appeal for the Second District of California amended its original opinion upholding a benefit assessment district for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review and the court's decision in Dahms became binding precedent for assessments. In Dahms, the court upheld an assessment that conferred a 100% special benefit to the assessed parcels on the rationale that the services and improvements funded by the assessments were provided directly and only to property in the assessment district over and above those services or improvements provided by the city generally.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that



the assessments had been apportioned to assessed property based on in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeals issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIIC and XIIID of the California Constitution and with the SVTA decision because the Services to be funded are clearly defined; the Services are available to and will be directly provided to all benefiting property in the Assessment District; and the Services provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with Dahms because, similar to the Downtown Pomona assessment validated in Dahms, the Services will be directly provided to property in the Assessment District. Moreover, while Dahms could be used as the basis for a finding of 0% general benefits, this Engineer's Report establishes a more conservative measure of general benefits.

The Engineer's Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Services and proportional special benefit to each property. Finally, the Assessments are consistent with Buetz because the general benefits have been explicitly calculated and quantified and excluded from the Assessments.

The City of Santa Barbara Fire Department provides a range of fire protection, prevention, and educational services to the City and its residents.

The following is a description of the wildland fire suppression Services that are provided for the benefit of property within the Assessment District. Prior to the passage of the assessment in 2006, the baseline level of service was below the standard described in the City's 2004 Wildland Fire Plan. Due to inadequate funding, the level of service continued to diminish and would have diminished further had this assessment not been instituted. With the passage of this assessment, the services were enhanced significantly. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre 2006) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service = Baseline level of Service (pre-2006)

+
Enhanced Level of Service

The services (the "Services") undertaken by the Santa Barbara Fire Department and the cost thereof paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the California Government Code Section 50078 et. seq., (the "Code") the Services are generally described as follows:

- Expansion of the vegetation road clearance program to cover all public roads within the Foothill and Extreme Foothill Zones. This program reduces fuel, enhance evacuation routes, and decrease fire response times
- Implementation of a defensible space and fire prevention inspection and chipping assistance program for all properties in the Foothill and Extreme Foothill Zones
- Implementation of a vegetation management program in the Foothill and Extreme Foothill Zones

As applied herein, "vegetation road clearance" means the treatment, clearing, reducing, or changing of vegetation near roadways in the Foothill and Extreme Foothill Zones where vegetation poses a fire hazard and does not meet Fire Department Vegetation Road



Clearance Standards within the high fire hazard area (As provided in Santa Barbara Municipal Code Section 8.04).

"Defensible space" is a perimeter created around a structure where vegetation is treated, cleared or reduced to slow the spread of wildfire towards a structure, reduce the chance of a structure fire burning to the surrounding area, and provides a safe perimeter for firefighters to protect a structure (As provided in Chapter 49 of the California Fire Code, as adopted by the City of Santa Barbara pursuant to Santa Barbara Municipal Code Section 8.04).

"Vegetation management" means the reduction of fire hazard through public education, vegetation hazard reduction, and other methods as needed to manage vegetation in areas with unique hazards such as heavy, flammable vegetation, lack of access due to topography and roads, and/or firefighter safety.

FIGURE 2 - COST AND BUDGET

CITY OF SANTA BARBARA Wildland Fire Suppression Assessment	
Estimate of Costs Fiscal Year 2011-12	
riscai real 2011-12	Total
	Budget
Services Costs	
Evacuation Planning - Evacuation Roadway Clearing	
Staffing	\$40,000
Materials	\$2,000
Project Costs	\$40,000
Defensible Space	
Staff	\$43,000
Materials	\$4,000
Chipping Program	\$30,821
Vegetation Management	
Staffing	\$40,000
Project	\$43,000
Totals for Installation, Maintenance and Servicing	\$242,821
Less: District Contribution for General Benefits	(\$19,275)
Net Cost of Installation, Maintenance and Servicing to Assessment District	 \$223,546
Incidental Costs:	
District Administration and Project Management	\$5,000
Allowance for County Collection	 \$3,225
Subtotals - Incidentals	 \$8,225
Total Wildland Fire Suppression District Budget (Net Amount to be Assessed)	\$231,771
(Not Allibant to be Addedded)	
Assessment District Budget Allocation to Parcels	P004 774
Total Assessment Budget Single Family Equivalent Benefit Units in District	\$231,771 3,212
Assessment per Single Family Equivalent Unit (SFE)	\$ 72.16

METHOD OF APPORTIONMENT

This section includes an explanation of the special benefits derived from the Services, the criteria for the expenditure of assessment funds and the methodology used to apportion the total assessments to properties within the Assessment District.

The Assessment District area consists of all Assessor Parcels within the Foothill and Extreme Foothill zones of the High Fire Hazard Area as defined by the 2004 Wildland Fire Plan. The method used for apportioning the assessment is based upon the proportional special benefits from the Services derived by the properties in the assessment area over and above general benefits conferred on real property or to the public at large. Special benefit is calculated for each parcel in the Assessment District using the following process:

- 1.) Identification of all benefit factors derived from the Improvements
- 2.) Calculation of the proportion of these benefits that are general
- 3.) Determination of the relative special benefit within different areas within the Assessment District
- 4.) Determination of the relative special benefit per property type
- 5.) Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type, property characteristics, improvements on property and other supporting attributes

DISCUSSION OF BENEFIT

California Government Code Section 50078 et. seq. allows agencies which provide fire suppression services, such as the Santa Barbara Fire Department, to levy assessments for fire suppression services. Section 50078 states the following:

"Any local agency which provides fire suppression services directly or by contract with the state or a local agency may, by ordinance or by resolution adopted after notice and hearing, determine and levy an assessment for fire suppression services pursuant to this article."

In addition, California Government Code Section 50078.1 defines the term "fire suppression" as follows:

"(c) "Fire suppression" includes firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard."

Therefore, the Services provided by the Assessment District fall within the scope of services that may be funded by assessments under the Code.



The assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's specific use of the Services or a property owner's specific demographic status. With reference to the requirements for assessments, Section 50078.5 of the California Government Code states:

"(b) The benefit assessment shall be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the boundaries of the local agency, zone, or area of benefit."

"The assessment may be levied against any parcel, improvement, or use of property to which such services may be made available whether or not the service is actually used."

Proposition 218, as codified in Article XIIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIIIA of the California Constitution.

The following section describes how and why the Services specially benefit properties. This benefit is particular and distinct from its effect on property in general or the public at large.

BENEFIT FACTORS

In order to allocate the assessments, the Engineer identified the types of special benefit arising from the Services that is provided to property in the Assessment District. These benefit factors confer a direct advantage to the assessed properties; otherwise they would be general benefit.

The following benefit categories have been established that represent the types of special benefit conferred to residential, commercial, industrial, institutional and other lots and parcels resulting from the services to reduce the severity and damage from wildland fires that are provided in the Assessment District. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies, which



describe the types of special benefit received by property from the Services of the Assessment District. These types of special benefit are summarized as follows:

 Increased safety and protection of real property assets for all property owners within the Assessment District.

As summarized previously, properties in the Assessment District are currently at higher risk for wildland fires. Uncontrolled fires would have a devastating impact on all properties within the Assessment District. The assessments fund an increase in services to mitigate the wildland fire threat, and thereby can significantly reduce the risk of property damage associated with fires. Clearly, fire mitigation helps to protect and specifically benefits both improved properties and vacant properties in the Assessment District.

"Fire is the largest single cause of property loss in the United States. In the last decade, fires have caused direct losses of more than \$120 billion and countless billions more in related cost."

"Over 140,000 wildfires occurred on average each year, burning a total of almost 14.5 million acres. And since 1990, over 900 homes have been destroyed each year by wildfires."²

"A wildfire sees your home as just another fuel source. The survivable space you construct around your home will keep all but the most ferocious wildfires at bay." 3

"A reasonably disaster-resistant America will not be achieved until there is greater acknowledgment of the importance of the fire service and a willingness at all levels of government to adequately fund the needs and responsibilities of the fire service."

"The strategies and techniques to address fire risks in structures are known. When implemented, these means have proven effective in the reduction of losses." 5

"Statistical data on insurance losses bears out the relationship between excellent fire protection...and low fire losses." 6

 Protection of views, scenery and other resource values, for property in the Assessment District

The Assessment District provides funding for the mitigation of the wildland fire threat to protect public and private resources in the Assessment District. This



benefits even those properties that are not directly damaged by fire by maintaining and improving the aesthetics and attractiveness of public and private resources in the community, as well as ensuring that such resources remain safe and well maintained.

"Intensely burned forests are rarely considered scenic." 7

"Smoke affects people...for example; in producing haze that degrades the visual quality of a sunny day...The other visual quality effect is that of the fire on the landscape. To many people, burned landscapes are not attractive and detract from the aesthetic values of an area."

"A visually preferred landscape can be the natural outcome of fuels treatments."9

Enhanced utility and desirability of the properties in the Assessment District.

The assessments funds Services to reduce the severity and damage from wildland fires in the Assessment District. Such Services enhance the overall utility and desirability of the properties in the Assessment District.

"Residential satisfaction surveys have found that having nature near one's home is extremely important in where people choose to live...This is especially true at the wildland-urban interface where some of the most serious fuels management must occur."

"People are coming to the [Bitterroot] valley in part because of its natural beauty which contributes to the quality of life that so many newcomers are seeking." 11

BENEFIT FINDING

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from increased safety and protection of real property, increased protection of scenery and views, and enhanced utility of properties in the Assessment District. These are special benefits to property in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.



GENERAL VERSUS SPECIAL BENEFIT

Article XIIIC of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

Total Benefit = Total General Benefit + Total Special Benefit

There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. SVTA vs. SCCOSA provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

In this report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

The starting point for evaluating general and special benefits is the pre 2006 baseline level of service, had the assessment not been approved by the community. The assessment will fund Services "over and above" this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

General Benefit =

Benefit to Real Property Outside the Assessment District +

Benefit to Real Property Inside the Assessment District that is Indirect and Derivative +

Benefit to the Public at Large

Special benefit, on the other hand, is defined in the state constitution as "a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large." The SVTA v. SCCOSA decision indicates that a special benefit is conferred to a property if it "receives a direct advantage from the improvement (e.g., proximity to a park)." In this assessment, as noted, the improved Services are available when needed to all properties in the Assessment District, so the overwhelming proportion of the benefits conferred to property is special, and are only minimally received by property outside the Assessment District or the public at large.



Proposition 218 twice uses the phrase "over and above" general benefits in describing special benefit. (Art. XIIID, sections 2(i) & 4(f).) Arguably, all of the Services being funded by the assessment would be a special benefit because the Services particularly and distinctly benefit the properties in the Assessment District over and above the baseline benefits.

Nevertheless, arguably some of the Services benefit the public at large and properties outside the Assessment District. In this report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

(In the 2009 *Dahms* case, the court upheld an assessment that conferred a 100% special benefit to the assessed parcels on the rationale that the services and improvements funded by the assessments were provided directly and only to property in the assessment district over and above those services or improvements provided by the city generally. Similarly, the Assessments described in this Engineer's Report fund wildland fire services directly and only to the assessed parcels located within the assessment area. Moreover, every property within the Assessment District will receive the Services. While the *Dahms* decision would permit an assessment based on 100% special benefit and zero or minimal general benefits, in this report, the general benefit is estimated and described and budgeted so that it is funded by sources other than the Assessment.)

CALCULATING GENERAL BENEFIT

This section provides a measure of the general benefits from the assessments

BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT

Properties within the Assessment District receive almost all of the special benefits from the Services because the Services will be provided solely in the Assessment District boundaries. Properties proximate to, but outside of, the boundaries of the Assessment District receive some benefit from the Services due to some degree of indirectly reduced fire risk to their property. These parcels that are proximate to the boundaries of the Assessment District are estimated to receive less than 50% of the benefits relative to parcels within the Assessment District because they do not directly receive the improved fire protection resulting from the Services funded by the Assessments.

At the time the Assessment District was formed, there were approximately 550 of these "proximate" properties.



CRITERIA:

550 PARCELS OUTSIDE THE DISTRICT BUT PROXIMATE TO THE DISTRICT BOUNDARIES
3550 PARCELS IN THE ASSESSMENT DISTRICT
50% RELATIVE BENEFIT COMPARED TO PROPERTY WITHIN THE ASSESSMENT DISTRICT

CALCULATION

GENERAL BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT = (550/(550+3,550))*.5 =6.7%

Although it can reasonably be argued that properties protected inside, but near the Assessment District boundaries are offset by similar fire protection provided outside, but near the Assessment District's boundaries, we use the more conservative approach of finding that 6.7% of the Services may be of general benefit to property outside the Assessment District.

BENEFIT TO PROPERTY INSIDE THE DISTRICT THAT IS INDIRECT AND DERIVATIVE

The "indirect and derivative" benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Services are clearly "over and above" and "particular and distinct" when compared with the pre-2006 baseline level of Services, had the assessment district not passed.

In determining the Assessment District boundaries, the District has been careful to limit it to an area of parcels that will directly receive the benefit of the improved Services. All parcels will directly benefit from the use of the improved Services throughout the Assessment District in order to achieve the desired level of wildland fire suppression and protection throughout the Assessment District. Fire protection and suppression will be provided as needed throughout the area.

The SVTA vs. SCCOSA decision indicates that the fact that a benefit is conferred throughout the Assessment District area does not make the benefit general rather than special, so long as the Assessment District is narrowly drawn and limited to the parcels directly receiving shared special benefits from the service. This concept is particularly applicable in situations involving a landowner-approved assessment-funded extension of a local government service to benefit lands previously not receiving that particular service. The Fire Department therefore concludes that, other than the small general benefit to properties outside the Assessment District (discussed above) and to the public at large (discussed below), all of the benefits of the Services to the parcels within the Assessment



District are special benefits and it is not possible or appropriate to separate any general benefits from the benefits conferred on parcels in the Assessment District.

BENEFIT TO THE PUBLIC AT LARGE

With the type and scope of Services provided to the Assessment District, it is very difficult to calculate and quantify the scope of the general benefit conferred on the public at large. Because the Services directly serve and benefit all of the property in the Assessment District, any general benefit conferred on the public at large would be small. Nevertheless, there may be some indirect general benefit to the public at large.

The public at large uses the public highways and other regional facilities when traveling in and through the Assessment District and they may benefit from the services without contributing to the assessment. Although the protection of this critical infrastructure is certainly a benefit to all the property within the Assessment District, it is arguably "indirect and derivative" and possibly benefits people rather than property. A fair and appropriate measure of the general benefit to the public at large therefore is the amount of highway, and regional facilities within the Assessment District relative to the overall land area. An analysis of maps of the Assessment District shows that less than 1.0% of the land area in the Assessment District is covered by highways and regional facilities. This 1.0% therefore is a fair and appropriate measure of the general benefit to the public at large within the Assessment District

SUMMARY OF GENERAL BENEFITS

Using a sum of the measures of general benefit for the public at large and land outside the Assessment Area, we find that approximately 7.7% of the benefits conferred by the Assessment District may be general in nature and should be funded by sources other than the assessment.

GENERAL BENEFIT =

6.7 % (OUTSIDE THE ASSESSMENT DISTRICT)

- + 0.0 % (Inside the district INDIRECT and derivative)
- + 1.0 % (PUBLIC AT LARGE)
- = 7.7 % (TOTAL GENERAL BENEFIT)

The Assessment District's total budget for 2011-12 is \$231,771. The Assessment District must obtain funding from sources other than the assessment in the amount of approximately \$17,846 (\$231,771*7.7%) to pay for the cost of the general benefits. This is



because the assessments levied by the Fire Department may not exceed the special benefits provided by the Services, and the Assessment Engineer concluded that 7.7% of the cost of Services provide a general benefit to properties outside the Assessment District, For Fiscal Year 2011-12, the City will contribute at least \$17,846, or 7.7% of the total Assessment District budget, to the Assessment District from sources other than this assessment. This contribution constitutes more than the 7.7% general benefits estimated by the Assessment Engineer.

ZONES OF BENEFIT

Initially, the Fire Department evaluated the geographic area within and around the City limits (including the City of Santa Barbara, Santa Barbara County, Montecito and National Forest lands) based upon three fire hazard risk variables: vegetation (fuel), topography and weather. This analysis was used to narrowly determine the boundaries of the "high fire hazard area." Further, zones were narrowly drawn within the high fire hazard area and graded "extreme," "high," "moderate" or "low". Next, the Fire Department evaluated the roof type, proximity of structures, road systems, water supply, fire response times and historic fire starts within the high fire hazard area and developed 4 specific zones:

- Extreme Foothill Zone
- Foothill Zone
- Coastal Zone
- Coastal Interior Zone

These zones were used to apply appropriate policies and actions based upon hazard and risk. The results of this analysis were tabulated and presented in Tables 2 through 4 in the 2004 Wildland Fire Plan.

Accordingly, "Zones of Benefit" corresponding to the fire risk zones are used to equitably assign special benefit, and are used for the basis of the "Fire Risk Factors" discussed below. Each zone was narrowly drawn, and has been given a score, based upon the evaluated risk criteria, as shown in Table 4. (The assessment provides Services in the Extreme Foothill Zone and the Foothill Zone only.)

FIGURE 3 - RELATIVE HAZARD/RISK SCORING FOR HIGH FIRE HAZARD AREA ZONES

Hazard/Risk Attribute	Extreme Foothill Zone	Foothill Zone	Coastal Zone	Coastal Interior Zone
Combined Hazard Assessment - vegetation (fuel), topography, weather*	40	30	20	10
Roof Type**	1	2	2	3
Proximity	1	3	1	3
Road	3	3	1	1
Water	3	1	1	1
Response	3	2	2	2
Ignitions	1	1	1	1
Total Score	52	42	28	21

^{*} The Hazard Assessment element of this analysis is the most significant. Scores have been "weighted" by a factor of 10.

Table 4 shows the numeric scoring system used to develop the relative total scores.

FIGURE 4 - SCORING SYSTEM

Qualititative Score	Numeric Score
Very High	4
High	3
Moderate	2
Low	1

The total relative scores for each zone are tabulated and normalized, based up the Foothill Zone, and shown in Table 5.

FIGURE 5 - WILDLAND FIRE RISK FACTORS

Zone	Raw Score	Wildland Fire Risk Factor
Extreme Foothill Zone	52	1.24
Foothill Zone	42	1.00
Coastal Zone**	28	0.67
Coastal Interior Zone**	21	0.50

^{**}Coastal Zone and Coastal Interior Zone are included in this analysis for clarity; however these zones are not included in the Assessment District.



^{**} In the Extreme Foothill Zone fire retardant roofing materials are more prevalent, resulting in lower risk in this area.

ASSESSMENT APPORTIONMENT

In the process of determining the appropriate method of assessment, the Assessment Engineer considered various alternatives. For example, an assessment only for all residential improved property was considered but was determined to be inappropriate because vacant, commercial, industrial and other properties also receive special benefits from the assessments.

Moreover, a fixed or flat assessment for all properties of similar type was deemed to be inappropriate because larger commercial/industrial properties and residential properties with multiple dwelling units receive a higher degree of benefit than other similarly used properties that are significantly smaller. For two properties used for commercial purposes, there clearly is a higher benefit provided to the larger property in comparison to a smaller commercial property because the larger property generally supports a larger building and has higher numbers of employees, customers and guests that benefit from reduced wildland fire risk. This benefit ultimately flows to the property. Larger parcels, therefore, receive an increased benefit from the assessments.

The Assessment Engineer determined that the appropriate method of assessment should be based on the type of property, the relative size of the property and the potential use of property by residents and employees. This method is further described below.

METHOD OF ASSESSMENT

The next step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a "benchmark" property, a single family detached dwelling on one parcel of one acre or less in the Foothill Zone (one "Single Family Equivalent Benefit Unit" or "SFE"). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefits and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. In this Engineer's Report, all properties are assigned an SFE value, which is each property's relative benefit in relation to a single family home on one parcel.

The relative benefit to properties from fire related Services is:

EQUATION 1 – RELATIVE BENEFIT TO PROPERTIES

Benefit $\approx \Sigma$ (Fire Risk Factors) * Σ (Structure Value Factors)



That is, the benefit conferred to property is the "sum" the risk factors multiplied by the "sum" of the structure values factors.

FIRE RISK FACTORS

Typical fire assessments (non-wildland) are evaluated based upon the fire risk of a certain property type. These evaluations consider factors such as use of structure (e.g. used for cooking), type of structure (centralized heating), etc.

Wildland fires, on the other hand, are initiated largely from external ignitions and are far less affected by structural, mechanical and electrical systems inherent to the building (except roof type). The principle Wildland fire risk factors are:

- Vegetation (fuel)
- Topography
- Weather
- Roof type
- Proximity of Structure
- Road Systems
- Water Supply
- Response
- Ignitions

These factors were fully evaluated in the 2004 Wildland Fire Plan and are manifested in the relative zone scores as shown in Tables 3, 4 and 5, above. Hence, the Fire Risk Factor for all properties within the Foothill Zone is 1.00 and the Fire Risk Factor for all properties in the Extreme Foothill Zone is 1.24.

STRUCTURE VALUE FACTORS

The relative value of different property types was evaluated within the high fire hazard area to determine the Structure Value Factor according to the following formula:

EQUATION 2 - STRUCTURE VALUE FACTORS

Σ (Structure Value Factors)

(Structure Weighting Factor * Average Improved Value)

(Land Weighting Factor * Average Total Value)

(Unity Density Factor)

Where:



- "Structure Weight Factor" = 10 to "weight" relative importance of structure over land.
- "Average Improved Value" is average of value of all improvements (e.g. structures), per property type, as provide by County Assessor records.
- Land Weighting Factor = 1
- "Average Total Value" is average of value of all land + improvements (e.g. structures), per property type, as provide by County Assessor records. County assessor land values were not used directly because experience has shown total values to be more comprehensive.
- Unit Density Factor corresponds values with units (i.e. "per residential unit" or "per acre") based upon effective density of structure on parcel.

Table 6 below is a tabulation of the Structure values for each property type as defined by Equation 2, above.

FIGURE 6 – STRUCTURE VALUE FACTORS

Property Type	Structure Value Factor	Unit
Single Family	1.0000	per each*
Multi-Family	0.3683	per res. unit
Commercial/Industrial	0.8187	per acre
Office	0.7058	per acre
Institutional	0.3841	per each
Storage	0.0952	per acre
Agricultural	0.0809	per acre
RangeLand	0.0181	per acre
Vacant	0.0324	per each

^{*}for homes on an acre or less. For homes on more than one acre, the Structure Value Factor is increased by 0.0809 per acre

RESIDENTIAL PROPERTIES

All improved residential properties with a single residential dwelling unit on one acre or less are assigned one Single Family Equivalent or 1.0 SFE in the Foothill Zone. In the Extreme Foothill Zone, all improved residential properties on one acre or less are assessed 1.24 SFEs (See Table 5). Residential properties on parcels that are larger than 1 acre receive additional benefit and are assigned additional SFEs on a "per acre" basis. Detached or attached houses, zero-lot line houses and town homes are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the Services in proportion to the number of



dwelling units that occupy each property. The relative benefit for multi-family properties was determined as per Equation 1 to be 0.3683 SFEs per residential unit in the Foothill Zone and 0.4567 per residential unit in the Extreme Foothill Zone. This rate applies to condominiums as well.

COMMERCIAL/INDUSTRIAL & OFFICE PROPERTIES

Commercial and industrial properties are assigned benefit units per acre, since there is a relationship between parcel size, structure size and relative benefits. The relative benefit for commercial and industrial properties was determined as per Equation 1 to be 0.8187 SFEs per acre in the Foothill Zone and 1.0151 per acre in the Extreme Foothill Zone. The relative benefit for office properties was determined as per Equation 1 to be 0.7058 SFEs per acre in the Foothill Zone and 0.8751 per acre in the Extreme Foothill Zone.

VACANT/UNDEVELOPED, OPEN SPACE AND AGRICULTURAL PROPERTIES

The relative benefit for vacant properties was determined as per Equation 1 to be 0.0324 SFEs per parcel in the Foothill Zone and 0.04012 per parcel in the Extreme Foothill Zone. Open space and agricultural land have minimal improvements and few, if any; structures that require defensible space, and are assigned benefit "per acre." The relative benefit for open space properties was determined as per Equation 1 to be 0.0181 SFEs per acre in the Foothill Zone and 0.0224 per acre in the Extreme Foothill Zone. The relative benefit for agricultural properties was determined as per Equation 1 to be 0.0809 SFEs per acre in the Foothill Zone and 0.1002 per acre in the Extreme Foothill Zone.

OTHER PROPERTIES

Institutional properties such as publicly owned properties (and are used as such), for example, churches, are assessed at 0.3841 per parcel in the Foothill zone and 0.4762 per Parcel in the Extreme Foothill zone. The relative benefit for storage properties was determined as per Equation 1 to be 0.0952 SFEs per acre in the Foothill Zone and 0.1180 per acre in the Extreme Foothill Zone.

Article XIIID, Section 4 of the California Constitution states that publicly owned properties shall not be exempt from assessment unless there is clear and convincing evidence that those properties receive no special benefit.

All public properties that are specially benefited are assessed. Publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.



SUMMARY OF BENEFITS FOR EACH PROPERTY TYPE

Table 5 summarizes the relative benefit for each property type.

FIGURE 7 - RELATIVE BENEFIT FACTORS FOR FOOTHILL AND EXTREME FOOTHILL ZONES

	Extreme Foothill Foothill Zone Zone			
Property Type	Benefit Factors (SFEs)	Unit	Benefit Factors (SFEs)	Unit
Single Family	1.0000	per each	1.2400	per each
Multi-Family	0.3683	per unit	0.4567	per unit
Commercial/Industrial	0.8187	per acre	1.0152	per acre
Office	0.7058	per acre	0.8752	per acre
Institutional	0.3841	per each	0.4763	per each
Storage	0.0952	per acre	0.1181	per acre
Agricultural	0.0809	per acre	0.1003	per acre
RangeLand	0.0181	per acre	0.0225	per acre
Vacant	0.0324	per each	0.0402	per each

APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Fire Chief of the City of Santa Barbara Fire Department or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the Chief or his or her designee will promptly review the appeal and any information provided by the property owner. If the Chief or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the Chief or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Chief or his or her designee shall be referred to the City Council and the decision of the Council shall be final.

ADDITIONAL BACKGROUND ON RELATIVE BENEFIT

In essence, when property owners are deciding how to cast their ballot for a proposed assessment, each property owner must weigh the perceived value of the Services proposed to them and their property with the proposed cost of the assessment to their property. If property owners of a certain type of property are either opposed or in support

of the assessment in much greater percentages than owners of other property types, this is an indication that, as a group, these property owners perceive that the proposed assessment has relatively higher or lower "utility" or value to their property relative to owners of other property types. One can also infer from these hypothetical ballot results, that the apportionment of benefit (and assessments) was too high or too low for that property type. In other words, property owners, by their balloting, ultimately indicate if they perceive the special benefits to their property to exceed the cost of the assessment, and, as a group, whether the determined level of benefit and proposed assessment (the benefit apportionment made by the Assessment Engineer) is consistent with the level of benefits perceived by the owners of their type of property relative to the owners of other types of property.

DURATION OF THE ASSESSMENT

The duration of the assessment is one year, and may be renewed each year by a vote of the City Council. The assessment cannot be increased in future years without approval from property owners in another assessment ballot proceeding, except for an annual adjustment tied to the change in the Los Angeles-Riverside-Orange County Area Consumer Price Index, not to exceed 4% per year.

CRITERIA AND POLICIES

This sub-section describes the criteria that shall govern the expenditure of assessment funds and ensures equal levels of benefit for properties of similar type. The criteria established in this Report, as finally confirmed, cannot be substantially modified; however, the Council may adopt additional criteria to further clarify certain criteria or policies established in this Report or to establish additional criteria or policies that do not conflict with this Report.

Assessment Funds Must Be Expended Within the Foothill and Extreme Foothill Zones. The net available assessment funds, after incidental, administrative, financing and other costs, shall be expended exclusively for Services within the boundaries of the Assessment District, namely, the Foothill and Extreme Foothill Zones.

EXISTING GENERAL FUNDS

Prior to formation, Wildland Fire Services were funded with approximately \$200,000 from the City of Santa Barbara general fund. The intent of the program is that this general fund revenue will be maintained by the City to the extend feasible and the assessment will augment the current funding and services. Further, a portion of the general fund revenue



is needed to pay for any and all general benefits from the wildland fire Services, as described above.



WHEREAS, the City Council of the City of Santa Barbara is proceeding with the proposed levy of assessments under California Government Code sections 50078 et seq. (the "Code") and Article XIIID of the California Constitution (the "Article");;

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Services upon all assessable parcels within the Assessment District:

NOW, **THEREFORE**, the undersigned, by virtue of the power vested in me under said Code and Article and the order of the Council of said City, hereby make the following assessment to cover the portion of the estimated cost of said Services, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for said Services and the expense incidental thereto, to be paid by the Assessment District for the fiscal year 2011-12 is generally as follows:

SUMMARY COST ESTIMATE

SUIVIIVIART COST ESTIIVIATE	FY 2011-12 Budget
Evacuation Planning – Evacuation Roadway Clearing	\$ 82,000
Defensible Space	\$ 77,821
Vegetation Management	\$ 83,000
Total for Installation, Maintenance and Servicing	\$ 242,821
Less: Contribution for General Benefits	(\$ 19,275)
Incidental Costs: Administration and Project Management Allowance for County collection Subtotal – Incidentals	\$ 5,000 \$ 3,225 \$ 8,225
Total Wildland Fire Suppression Assessment District Budget	\$ 231,771



An Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Assessment District. The distinctive number of each parcel or lot of land in said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Services, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Services, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area as of January of each succeeding year, with the maximum annual adjustment not to exceed 4%.

In the event that the actual assessment rate for any given year is not increased by an amount equal to the maximum of 4% or the yearly CPI change plus any CPI change in previous years that was in excess of 4%, the maximum authorized assessment shall increase by this amount. In such event, the maximum authorized assessment shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years. The CPI change above 4% can be used in a future year when the CPI adjustment is below 4%. For 2011-12, the allowable CPI increase is 3.33% which includes 1.99% CPI deferred from previous years plus 1.34% CPI for 2011-12.

Hence, the proposed rates for 2011-12 will increase by 3.33% from the 2010-11 rates - from \$69.83 to \$72.16 per single family home in the Foothill Zone and from \$86.58 to \$89.46 per single family home in the Extreme Foothill Zone. The total revenue derived from the assessment is \$231,771 for 2011-12.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the City of Santa Barbara for the fiscal year 2011-12. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of Santa Barbara County.



I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2011-12 for each parcel or lot of land within the said Assessment District.

Engineer of Work

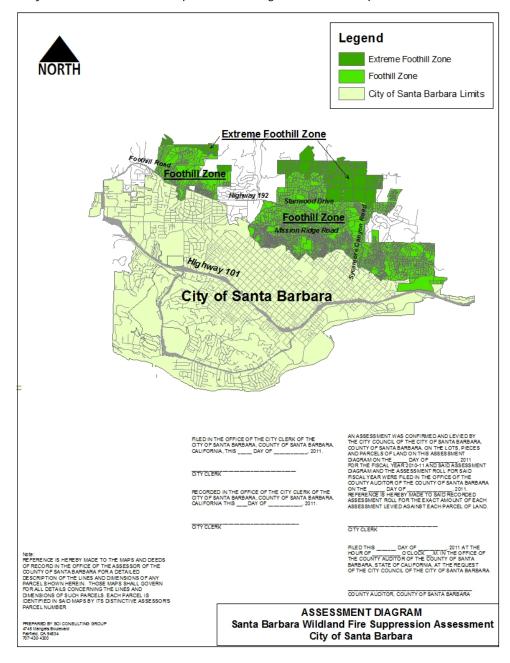
Dated: May 17, 2011

No. C052091

Exp. 12-31-12

John W. Bliss, License No. C052091

The Assessment District includes all properties within the boundaries of the Wildland Fire Services District. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Santa Barbara, for fiscal year 2011-12, and are incorporated herein by reference, and made a part of this Diagram and this Report.





APPENDICES

APPENDIX A – ASSESSMENT ROLL, FY 2011-12

The Assessment Roll is made part of this report and is available for public inspection during normal office hours. Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference, made part of this report. There records shall govern for all details concerning the description of the lots of parcels.



APPENDIX B - CALIFORNIA GOVERNMENT CODE SECTION 50078 ET. SEQ.

50078. Any local agency which provides fire suppression services directly or by contract with the state or a local agency may, by ordinance or by resolution adopted after notice and hearing, determine and levy an assessment for fire suppression services pursuant to this article. The assessment may be made for the purpose of obtaining, furnishing, operating, and maintaining fire suppression equipment or apparatus or for the purpose of paying the salaries and benefits of firefighting personnel, or both, whether or not fire suppression services are actually used by or upon a parcel, improvement, or property.

50078.1. As used in this article:

- (a) "Legislative body" means the board of directors, trustees, governors, or any other governing body of a local agency specified in subdivision (b).
- (b) "Local agency" means any city, county, or city and county, whether general law or chartered, or special district, including a county service area created pursuant to the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3.
- (c) "Fire suppression" includes firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard.
- 50078.2. (a) The ordinance or resolution shall establish uniform schedules and rates based upon the type of use of property and the risk classification of the structures or other improvements on, or the use of, the property. The risk classification may include, but need not be limited to, the amount of water required for fire suppression on that property, the structure size, type of construction, structure use, and other factors relating to potential fire and panic hazards and the costs of providing the fire suppression by the district to that property. The assessment shall be related to the benefits to the property assessed.
- (b) The benefit assessment levies on land devoted primarily to agricultural, timber, or livestock uses, and being used for the commercial production of agricultural, timber, or livestock products, shall be related to the relative risk to the land and its products. The amount of the assessment shall recognize normal husbandry practices that serve to mitigate risk, onsite or proximate water availability, response time, capability of the fire suppression service, and any other factors which reflect the benefit to the land resulting from the fire suppression service provided. A benefit assessment shall not be levied for wildland or watershed fire suppression on land located in a state responsibility area as

defined in Section 4102 of the Public Resources Code. This subdivision is not applicable to any benefit assessment levied prior to January 1, 1984, on land devoted primarily to agricultural, timber, or livestock uses.

50078.3. Any ordinance or resolution adopted by a local agency pursuant to this article establishing uniform schedules and rates for assessments for fire suppression services which substantially conforms with the model ordinance which the State Fire Marshal is authorized to adopt pursuant to Section 13111 of the Health and Safety Code shall be presumed to be in compliance with the requirements of Section 50078.2.

50078.4. The legislative body of the local agency shall cause to be prepared and filed with the clerk of the local agency a written report which shall contain all of the following:

- (a) A description of each lot or parcel of property proposed to be subject to the assessment.
- (b) The amount of the assessment for each lot or parcel for the initial fiscal year.
- (c) The maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year.
- (d) The duration of the assessment.
- (e) The basis of the assessment.
- (f) The schedule of the assessment.
- (g) A description specifying the requirements for protest and hearing procedures for the proposed assessment pursuant to Section 50078.6.
- 50078.5. (a) The legislative body may establish zones or areas of benefit within the local agency and may restrict the imposition of assessments to areas lying within one or more of the zones or areas of benefit established within the local agency.
- (b) The benefit assessment shall be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the boundaries of the local agency, zone, or area of benefit. The assessment may be levied against any parcel, improvement, or use of property to which such services may be made available whether or not the service is actually used.



50078.6. The clerk of the local agency shall cause the notice, protest, and hearing procedures to comply with Section 53753. The mailed notice shall also contain the name and telephone number of the person designated by the legislative body to answer inquiries regarding the protest proceedings.

50078.13. The local agency shall pay the county for costs, if any, incurred by the county in conducting the election. An election called by a legislative body pursuant to this article is subject to all provisions of the Elections Code applicable to elections called by the local agency. The local agency may recover the costs of the election and any other costs of preparing and levying the assessment from the proceeds of the assessment.

50078.16. The legislative body may provide for the collection of the assessment in the same manner, and subject to the same penalties as, other fees, charges, and taxes fixed and collected by, or on behalf of the local agency. If the assessments are collected by the county, the county may deduct its reasonable costs incurred for that service before remittal of the balance to the local agency's treasury.

50078.17. Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure applies to any judicial action or proceeding to validate, attack, review, set aside, void, or annul an ordinance or resolution levying an assessment or modifying or amending an existing ordinance or resolution. If an ordinance or resolution provides for an automatic adjustment in an assessment, and the automatic adjustment results in an increase in the amount of an assessment, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 90 days of the effective date of the increase. Any appeal from a final judgment in the action or proceeding brought pursuant to this section shall be filed within 30 days after entry of the judgment.

50078.19. This article does not limit or prohibit the levy or collection of any other fee, charge, assessment, or tax for fire suppression services authorized by any other provisions of law.

50078.20. Any fire protection district may specifically allocate a portion of the revenue generated pursuant to this article to pay the interest and that portion of the principal as will become due on an annual basis on indebtedness incurred pursuant to Section 8589.13 of this code and Section 13906 of the Health and Safety Code.



APPENDIX C - ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION

Proposition 218 was approved by voters as a Constitutional Amendment on November 6, 1996. It became Article XIIIC and Article XIIID of the California State Constitution and has imposed additional requirements for assessment districts. Following is a summary of the Article.

SEC.1. Application. Notwithstanding any other provision of law, the provisions of this article shall apply to all assessments, fees and charges, whether imposed pursuant to state statute or local government charter authority. Nothing in this article or Article XIIIC shall be construed to:

- (a) Provide any new authority to any agency to impose a tax, assessment, fee, or charge.
- (b) Affect existing laws relating to the imposition of fees or charges as a condition of property development.
- (c) Affect existing laws relating to the imposition of timber yield taxes.

SEC. 2. Definitions. As used in this article:

- (a) "Agency" means any local government as defined in subdivision (b) of Section 1 of Article XIIIC.
- (b) "Assessment" means any levy or charge upon real property by an agency for a special benefit conferred upon the real property. "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment" and "special assessment tax."
- (c) "Capital cost" means the cost of acquisition, installation, construction, reconstruction, or replacement of a permanent public improvement by an agency.
- (d) "District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.
- (e) "Fee" or "charge" means any levy other than an ad valorem tax, a special tax, or an assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including a user fee or charge for a property related service.
- (f) "Maintenance and operation expenses" means the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care, and supervision necessary to properly operate and maintain a permanent public improvement.



- (g) "Property ownership" shall be deemed to include tenancies of real property where tenants are directly liable to pay the assessment, fee, or charge in question.
- (h) "Property-related service" means a public service having a direct relationship to property ownership.
- (i) "Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."
- SEC. 3. Property Taxes, Assessments, Fees and Charges Limited.
 - (a) No tax, assessment, fee, or charge shall be assessed by any agency upon any parcel of property or upon any person as an incident of property ownership except: (1) The ad valorem property tax imposed pursuant to Article XIII and Article XIIIA. (2) Any special tax receiving a two-thirds vote pursuant to Section 4 of Article XIIIA. (3) Assessments as provided by this article. (4) Fees or charges for property related services as provided by this article.
 - (b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership.
- SEC. 4. Procedures and Requirements for All Assessments.
 - (a) An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel. Parcels within a district that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit.
 - (b) All assessments shall be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California.

- (c) The amount of the proposed assessment for each identified parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire district, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return, and tabulation of the ballots required pursuant to subdivision (d), including a disclosure statement that the existence of a majority protest, as defined in subdivision (e), will result in the assessment not being imposed.
- (d) Each notice mailed to owners of identified parcels within the district pursuant to subdivision (c) shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.
- (e) The agency shall conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each identified parcel. At the public hearing, the agency shall consider all protests against the proposed assessment and tabulate the ballots. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.
- (f) In any legal action contesting the validity of any assessment, the burden shall be on the agency to demonstrate that the property or properties in question receive a special benefit over and above the benefits conferred on the public at large and that the amount of any contested assessment is proportional to, and no greater than, the benefits conferred on the property or properties in question.
- (g) Because only special benefits are assessable, electors residing within the district who do not own property within the district shall not be deemed under this Constitution to have been deprived of the right to vote for any assessment. If a court determines that the Constitution of the United States or other federal law requires otherwise, the assessment shall not be imposed unless approved by a two-thirds vote of the electorate in the district in addition to being approved by the property owners as required by subdivision (e).

SFC. 5. Effective Date.

Pursuant to subdivision (a) of Section 10 of Article II, the provisions of this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section Δ .

- (a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- (b) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- (c) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.
- (d) Any assessment which previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4.

- ² Institute for Business & Home Safety, "Protect Your Home Against Wildfire Damage," http://www.ibhs.org/publications/view.asp?id=125
- ³ Institute for Business & Home Safety, "Is Your Home Protected from Wildfire Damage? A Homeowner's Guide to Retrofit," http://www.ibhs.org/publications/view.asp?id=130
- ⁴ U.S. Fire Administration, Department of Homeland Security, "America Burning, Recommissioned: Principal Findings and Recommendations," p.1, http://www.usfa.fema.gov/downloads/pdf/abr-rep.PDF
- ⁵ U.S. Fire Administration, Department of Homeland Security, "America Burning, Recommissioned: Principal Findings and Recommendations," p.2, http://www.usfa.fema.gov/downloads/pdf/abr-rep.PDF
- ⁶ Insurance Services Offices Inc., p. 1, http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20 Information.pdf
- ⁷ Renewable Natural Resources Foundation, "Workshop on National Parks Fire Policy: Goals, Perceptions, and Reality," Renewable Resources Journal, Volume 11, Number 1, Spring 1993, p. 6
- ⁸ Weldon, Leslie A. C., "Dealing with Public Concerns in Restoring Fire to the Forest," General Technical Report INT-GTR-341 The Use of Fire in Forest Restoration, U.S. Forest Service, June 1996, p. 3
- ⁹ U.S. Forest Service, Department of Agriculture, "Social Science to Improve Fuels Management: A Synthesis of Research on Aesthetics and Fuels Management," p. 1, http://ncrs.fs.fed.us/pubs/qtr/qtr_nc261.pdf



¹ Insurance Services Offices Inc. http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20 Information.pdf

¹⁰ U.S. Forest Service, Department of Agriculture, "Social Science to Improve Fuels Management: A Synthesis of Research on Aesthetics and Fuels Management," p. 25, http://ncrs.fs.fed.us/pubs/gtr/gtr_nc261.pdf

¹¹ Weldon, Leslie A. C., "Dealing with Public Concerns in Restoring Fire to the Forest," General Technical Report INT-GTR-341 The Use of Fire in Forest Restoration, U.S. Forest Service, June 1996, p. 2

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CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: 2011 Legislative Platform

RECOMMENDATION: That Council

A. Adopt the 2011 Legislative Platform that guides the City's support or opposition to state and federal legislation; and

B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact state and federal representatives to advocate for legislation consistent with the goals of the Legislative Platform.

DISCUSSION:

The City's Legislative Platform outlines the City's position on legislative matters. It serves as the foundation for the City to support, remain neutral or oppose positions on state and federal legislation.

Each year, the Legislative Platform is reviewed by staff and the Council Committee on Legislation to ensure the platform reflects current policy issues and positions of the Council. The Council Committee met on February 10, April 13, April 20, May 4, and May 12 to review the platform and recommend revisions to City Council. The proposed platform (Attachment) is marked with additions and deletions to assist Council in identifying the changes. The Committee recommended that the Council adopt the proposed 2011 Legislative Platform.

Council approval of the Legislative Platform allows the Mayor and Councilmembers, as well as staff, to advocate for state and federal legislation on behalf of the City. In cases where a legislative issue is not addressed in the platform, staff will return to the Committee on Legislation and/or the City Council for direction as necessary. Therefore, platform revisions are recommended so that Council can engage in advocacy efforts without returning to Council. A platform that is comprehensive and current will enable the City to act quickly when advocacy is needed.

Council Agenda Report 2011 Legislative Platform June 7, 2011 Page 2

Revisions are recommended for all sections of the platform, including the following:

- Revenue and Taxation
- Public Safety
- Housing, Community, and Economic Development
- Environmental Quality
- Transportation, Public Works, and Communications
- Employee Relations
- Airport
- Waterfront
- Community Services
- City Administration

The proposed changes were recommended for several reasons. Language to address current or anticipated legislative efforts was added. Platform positions that were obsolete were recommended for change or deletion. Several items were deleted because Council supported the passage or implementation of legislation in previous years and the outcome was achieved. Most of the changes were proposed to eliminate duplicative language and clarify language so the document is easier to understand.

Legislative Advocacy

Our current practice for legislative advocacy is intended to produce timely and effective communication with legislators. Advocacy efforts generally occur in one of the following ways:

1. Advocacy Letters

- Upon referral from the Mayor and Council, City Administrator's Office, department staff, League of California Cities or other sources, staff will compare legislative proposals against the City's Legislative Platform. If the proposed bill raises legal issues, department staff will consult with the City Attorney's Office.
- If a legislative matter is covered in our legislative platform and correspondence is determined to be appropriate, the Mayor will send a letter to the appropriate legislators. In cases where proposed legislation is not addressed in the platform, staff will return to the City Council for final direction as necessary.
- As needed, the Mayor and/or staff will contact legislators via telephone, email or in person to reinforce the City's position or to provide additional information.

2. Committee on Legislation

- The Committee on Legislation has regularly scheduled meetings each month, but meets only as needed.
- During the legislative session, Staff may consult with and enlist the Council's Committee on Legislation and/or the Mayor if efforts beyond the

Council Agenda Report 2011 Legislative Platform June 7, 2011 Page 3

standard position letter are required. The Mayor and Committee on Legislation may undertake direct contact with legislators or recommend to the City Council that more extensive actions be taken. The Mayor and Committee members may also communicate with other parties who may have an interest in proposed bills.

3. Meetings with State and Federal Representatives, legislative advocates and coordination with others

- We will continue to work closely with advocacy partners. As an example, the League of California Cities Channel Counties Division representative has appeared before the Committee on Legislation to update the City on State legislation and priority issues. We will continue to work closely with the League.
- As part of the legislative action process, the Committee on Legislation may invite members of our State Assembly, State Senate and Congress, or legislative advocates to committee meetings to discuss legislative positions and interests.

ATTACHMENT: Draft 2011 Legislative Platform Showing Marked Revisions

PREPARED BY: Nina Johnson, Assistant to the City Administrator

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office



Draft 2011 Legislative Platform

City of Santa Barbara

Revision Date: 05/12/2011

CITY ADMINISTRATION			
SCOPE		Issues regarding local authority, state and federal mandates, election law and administration, tort reform, open meeting law_,(the-Brown Act), the Public Records Act, the Political Reform Act, and other conflict of interest-laws.	
LOCAL AUTHORITY AND DISCRETION	All Departments	Support the ability of local governments to enact local standards or regulations that differ from those enacted at the state and federal level regarding any issue described in the legislative platform. Oppose legislation or regulation that restricts local authority and discretion.	
STATE AND FEDERAL MANDATES	All Departments	Support funding for any improvements, programs, and projects required of the City through state or federal mandates. Oppose unfunded state or federal mandates.	
OPEN MEETING LAW (THE BROWN ACT) Open Meetings Restrictions Closed Sessions Privacy Rights Personnel Issues Property Acquisitions Attorney/Client Privilege	Administrative Services/City Attorney	Support legislation that recognizes the need to conduct the public's business in public. To this end, the City supports the regulation of the state and other public agencies to ensure conformance to the principles of the open meetings provision in the Ralph M. Brown Act. Support legislation that extends application of the Brown Act to the State. Oppose legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a city to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions and inappropriate activities. Oppose legislation that would impose further unnecessary restrictions on the action that a governing body can take in closed sessions. Support legislation that would revise the Brown Act's definition of a "meeting" so as to restore to a quorum of the members of local councils, boards, and commissions the normal human right to freely discuss issues that might come before them, both in public and in private, while maintaining the requirements that all final legislative decisions must be made in an open, publicly noticed meeting as elsewhere stated in the Brown Act. Support legislation that recognizes the realities of other constraints under which a local governing body must operate that necessitates judicious use of closed sessions, including: The privacy rights granted to individuals under the U.S. and California constitutions; The personnel issues that have a potential impact on an individual's career and potential earning capacity and that raise serious liability questions for a local jurisdiction;	

		☐ The protection of the taxpayer's interests over property and other acquisitions by a public agency; and The proper maintenance of the same attorney-client privilege enjoyed by the private sector.
ALLIANCES	All Departments	Support alliances with counties, schools, other cities, employee organizations, other local agencies, and business and professional organizations to support cooperation, sound financial policies, and joint action. [MOVED FROM REVENUE AND TAXATION]
ELECTIONSCosts/ProceduresMail BallotsBallot measures	Administrative Services/City Attorney	Support legislation that reduces any unnecessary and costly procedures for conducting a municipal election. Oppose legislation that mandates costly and unnecessary procedures related to the local election process. Support municipal vote by mail ballot elections for a county election.
• Challenges		Support the requirement that the intent and text of a local ballot measure is to be filed with the City Clerk and published in a newspaper of general circulation, and with a filing fee. With regard to any land use measure, support allowing the City Council to refer it to the planning agency for a report on the measure's effects.
		Support publishing the title of a local ballot measure in a newspaper of general circulation instead of the full text.
		Oppose any legislation or regulation that would prohibit legal action from being filed by any person(s) challenging the validity of the local initiative petition or ordinance after the date of the election.
RECALL ELECTIONS	Administrative	Support legislation that maintains the integrity of the municipal recall process.
	Services	Support legislation that reduces the amount of local recall abuse while improving, streamlining, and ensuring that the public has full knowledge of the issues.
•Proof •Penalties	City Administrator	Support the statewide administrative program that requires a motorist to have proof of insurance to register a vehicle with the Department of Motor Vehicles.
Earthquake [MOVED TO PUBLIC SAFETY SECTION]		Support uninsured vehicles being subject to impoundment, and redeemed only with proof of insurance, with unredeemed vehicles being sold to pay for the cost of the program.
		Support the creation of a state non-profit corporation to issue earthquake insurance policies to cover the cost of replacement or repairs to structures damaged by earthquake. The primary concern of the City in this issue should be maintaining an affordable housing market in local communities.

POLITICAL REFORM ACT Practices Local Authority Prop 208 Reproduction Costs	Administrative Services	Oppose regulations and legislation that would restrict or preempt local regulation of campaign financingauthority. Support appropriate efforts to improve and streamline the Political Reform Act and its implementation through regulations. Support a legislative amendment to Proposition 208 that permits a candidate with excess campaign funds to give those excess funds to a charity of his or her choice in addition to all of the options provided in Proposition 208. Support an increase in the fee for the reproduction of statements required under the Political Reform Act from ten cents (\$0.10) per page to twenty-five cents (\$0.25) per page.
SMOKING AND TOBACCO CONTROL Statewide Minors [MOVED TO PUBLIC SAFETY SECTION]	City Administrator Police	Support legislation that establishes a statewide smoking and tobacco control standard, as long as such legislation does not preempt the ability of cities and counties to enact local laws that are stronger than the statewide standard or to regulate in areas not covered in the statewide standard. Oppose legislation that would restrict such local authority. Support legislation that limits the ability of minors to obtain tobacco products.
TORT LITIGATION REFORM • Local Exposure • Liability • Business Climate	City Attorney	Support legislation that limits the exposure of local governments to lawsuits related to liability, including but not limited to such areas as unimproved natural conditions, design immunity, hazardous recreational activities, and injuries due to wild animals in public places. Support modifications to the joint and several liability laws that require the responsible parties in a civil action to pay only their fair share of judgment based on their relative responsibility. Support civil justice reform measures designed to improve the business climate in California. The City Attorney will evaluate these measures on a case-by-case basis. Support limitations on lawsuits that have little merit by eliminating the availability of provisions for fee recovery by petitioners or by authorizing cities to collect their fees and costs in cases where they are the prevailing party. [MOVED FROM ENVIRONMENTAL QUALITY SECTION]

REVENUE AND TAXA	TION	
SCOPE		Issues and recommendations related to finance administration, taxation reform, and revenue needs, and revenue sources at the federal, state and local levels.
EFFECTIVE FINANCING	Finance	Support meaningful fiscal reform that allows each level of government to adequately finance its service responsibilities.
BEST USE OF FUNDS	Finance	Support the emphasis on efficiency and effectiveness, encouraging governments to achieve the best possible use of public resources.
ALLIANCES	Finance	Support alliances with counties, schools, other cities, employee organizations, other local agencies, and business and professional organizations to support cooperation, sound financial policies and joint action. [MOVED TO ADMINISTRATION SECTION]
ECONOMIC STIMULUS	Finance	Support an economic stimulus package that creates a balance between investments and tax incentives.
LOCAL CONTROL Simple Majority	Finance	Support state and local authority to collect legally due sales tax on <u>Internet or other</u> remote transactions.
		Support continued local control over public rights of way.
		Support local, political authority control and accountability for revenues raised and services provided.
		Support the preservation of local authority and accountability for cities, and state policies that:
		Ensure the Support the protection of existing city revenue sources for all cities, including the local share of property tax, sales tax, vehicle license fees, COPS funding, and Redevelopment Agency revenues, among others.
		Allow every level of government to enjoy budgetary independence from programs and costs imposed by other levels of government.
		Support the League of California Cities and other associations in the placement of the Local Taxpayers, Public Safety and Transportation Protection Act on the November 2010 ballot.
		Support legislation to prevent the State of California from borrowing or redirecting funding that voters have dedicated for local public safety, transportation, transit and essential local government services.
		Support policies that Aauthorize a simple majority of the voters in a city or county to

		establish local priorities, including the right to increase taxes or issue general obligation bonds.
STATE MANDATES REIMBURSEMENT	Finance	Support full and prompt reimbursement to all local agencies for all state-mandated programs and/or infractions and losses associated with local revenue shifts and reforms to accomplish such objectives.
		Support reforms prohibiting the State from deferring mandate payments.
		Oppose unfunded state and federal mandates.
DISASTER RECOVERY	<u>Finance</u>	Support disaster recovery legislation that mitigates losses experienced by local governments.
ADDITIONAL REVENUE FOR LOCAL NEEDS	Finance	Support efforts to bring additional revenue to the state/local revenue structure to meet the needs of a growing population, <u>and deteriorating</u> service <u>reduction</u> s, and <u>deteriorating</u> facilities <u>and other capital infrastructure</u> .
PUBLIC, EDUCATIONAL AND GOVERNMENT (PEG) ACCESS TELEVISION	<u>Finance</u>	Support legislation that preserves PEG access television and allows PEG access funding to be used to support basic operational costs, including employee salaries, as well as capital maintenance and replacement.
VIDEO-FRANCHISE FEES	<u>Finance</u>	Support local government ability to receive compensation for use of its public-right-of-way, including but not limited to gas, electric, refuse, and cable and video providers.
		Oppose any legislation that would reduce video franchises fees or PEG access fees.
FEDERAL STREAMLINED SALES & USE TAX AGREEMENT (SSUTA)	<u>Finance</u>	Support the League of California Cities position regarding any federal attempts to impose a uniform sales tax structure on California or any amendments that would directly undermine California's existing utility users tax structure.
SITUS-BASED SALES TAX – BRADLEY BURNS	Finance	Support efforts to preserve and protect the existing situs-based sales tax under the Bradley Burns 1% baseline.
TRANSIENT OCCUPANCY TAX (TOT)	<u>Finance</u>	Support efforts to collect the full amount of local transient occupancy tax from online sales of lodging.
		Oppose any legislation that would prohibit local voter-approved transient occupancy taxes.
REGIONAL REVENUES	Finance	Support the identification and implementation of multi-jurisdictional revenues in cases where regional issues, programs, and services are identified.
		Support the ability of school districts to collect existing parcel tax revenue imposed in any former district upon merging with one or more districts to form a single district.

UTILITY USERS TAX	<u>Finance</u>	Oppose legislation that would prohibit local governments from collecting utility users tax
(UUT)		from modern telecommunication and video technologies, including but not limited to cell
		phones, Internet-based telephone services (VoIP), and other wired or wireless
		technology.

EMPLOYEE RELATION	EMPLOYEE RELATIONS		
SCOPE		Issues related to the field of labor relations and human resource management.	
LABOR RELATIONS Local Authority	City Administrator	Support efforts to promote, initiate, and improve both public and private sector labor-management relations.	
MOUMutualAgreement		Oppose interference with management rights or the ability of cities and their employees to bargain on matters within the scope of representation.	
		Support legislation that specifically exempts local public agencies from the requirement to negotiate with any labor or special interest group about matters submitted to the voters of that jurisdiction as initiatives or Charter amendments.	
		Support the long-held position of California courts that public employees cannot engage in strikes.	
		Support local government control of the budget process related to employee compensation.	
		Oppose any legislative action that requires the continuation of the terms of any Memorandum of Understanding (MOU) between a public agency and an employee organization until a successor MOU is agreed upon.	
		Oppose any extension of the State Public Employment Relations Board jurisdiction over local public agency labor relation disputes and charges of unfair labor practices, and to any interference or intervention in local collective bargaining by any labor-management relations councils or boards.	
		Oppose state-mandated compulsory <u>labor arbitration</u> , mediation, or fact-finding processes that are not mutually agreed upon by the local public agency and its <u>employee organizations</u> , except as provided by local law.	
Civil Rights/EEO Sexual Harassment Standards CFCL/FMLA Family Leave Sexual	City Administrator	Support legislation furthering the purpose and clarifying the application of state and federal civil rights and equal employment opportunity laws.	
		Support a consistent standards for hostile sexual harassment cases by adopting the federal "reasonable victim" standards in matters before the FEHC. Support changing the standard from the "viewpoint of a reasonable victim" to a standard utilizing the "perception of reasonable persons of the same gender as the claimant," in order to shift from a gender based sexual harassment standard to a plaintiff based standard. discrimination and harassment claims between state and federal law.	

Orientation		Support efforts to conform the California Family Care Leave Laws to the federal Family and Medical Leave Act (FMLA). Support the amendment of federal civil rights legislation to prohibit employment
PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)	Administrative Services	Support the amendment of federal civil rights legislation to prohibit employment discrimination on the basis of sexual orientation. Support the PERS Coalition (PERS/PAC) and its efforts to maintain or further the interests of contracting agencies. Support PERS pension system reform that will reduce long term costs for participating agencies, can be defended to the taxpayer in public debate, will provide long-term financial stability and sustainability, and will allow agencies to continue to be effective locally in recruiting and retaining a skilled, quality work force. Oppose preemption of charter city authority over their public pension systems. Support an exemption for retired PERS employees, allowing them to work for a PERS agency under contract or appointment by the local agency. Support certain limitations upon recoveries under judgments against public retirement systems. Support efforts to reduce retirement benefit fraud and a requirement that the PERS Board adjust or cancel the retirement allowance of any person convicted of making fraudulent benefit claims. Support extending the period for which employees may purchase PERS service credit for periods of lay off to five years. Support: (a) reducing all disability retirement payments for employees hired after a certain date; (b) imposing an earnings test for persons receiving industrial disability retirement; (c) requiring state departments to identify annual unemployment and disability payments in separate budget items; (d) requiring persons receiving disability retirement payments to obtain an annual medical examination; (e) prescribing a 60% cap on payments for either job-related or non-job-related disabilities; (f) eliminating the tax-exempt status of disability retirement payments; (g) requiring mandatory reinstatement for employees certified able to work by medical exam; and (h) discontinuing disability retirement payments if the employee rejects reinstatement. Support legislation to allow a PERS contracting agency to voluntarily elect to am

		and the second Atom of Defect Office or
		serving as armed Airport Patrol Officers.
		Support pension system reform that will reduce long term costs while remaining effective in recruiting and retaining a skilled, quality work force.
		Oppose a requirement that all plan assets of an employer plan, including "excess assets" be used in the determination of the employer rate.
		Support allowing local agencies to make an exclusive determination of whether to utilize excess assets to offset costs of plan amendments.
		Oppose legislation that mandates large increases in compensation during the final year of employment, which have the effect of increasing retirement benefits.
		Oppose requiring an employer to continue to pay the salary of a member while PERS makes its decision on the member's application for involuntary disability retirement.
		Support expansion of the membership of the CalPERS Board of Administration to include one new members appointed by the League of California Cities.
		Support increasing the transparency of non-pension post-retirement benefits and subsidies.
WORKERS' COMPENSATION	Finance	Support the principles that describe an industrial injury or illness using a of narrow view on causation and definition of injury.
InjuriesWorkers' CompensationClaim		Support requiring the employee to prove by clear and convincing evidence that sudden or extraordinary employment conditions were the predominant causes for the injury.
MedicalPresumptive Injury		Support existing workers' compensation laws to be liberally construed only after an injury is deemed "specific" and consists of serious physical or bodily harm.
 Legal process 		Support the cost containment of medical expenses for workers' compensation claims.
		Oppose regulations or legislation that would require increased employer medical costs for workers' compensation.
		Oppose regulations or legislation that would expand the definition of a "presumptive" injury, or create new "presumptive" injury categories that lack a basis in current proven medical science.
		Oppose legislation that would permit an employee to use more than one legal process in regard to disability claims (i.e., ADA, workers' compensation, DFEH), or

		any other erosion of the "exclusive remedy" principle as it relates to disability claims covered under workers' compensation.
EMPLOYMENT- RELATED ISSUES • Mandates	Administrative Services	Support the special protection of elected officials, county public defenders, public figures and public employees acting in their official capacity against threats of death or serious bodily injury.
OSHA FEHC		Support federal and state legislation affirming the establishment of tax exempt employee savings accounts for retirement health expenses.
		Support state funded recruitment and succession planning programs to address expected high levels of employee retirement turnover within state and local government service.
		Oppose a mandatory Social Security tax on any public sector employees or employers by the federal government.
		Oppose any state or federal mandate of benefits on local agency employers, including, but not limited to, benefits for temporary or part-time employees, domestic partner benefits and veterans' preferences.
		Oppose the mandated inclusion of governmental entities for Occupational Safety and Health Agency (OSHA) violations without appropriate compensation for the mandates.
		Oppose extending the filing dates for Fair Employment and Housing Commission (FEHC) charges from one to two years, and oppose permitting the FEHC to provide affirmative or prospective relief to prevent the recurrence of an unlawful practice.
		Oppose legislation limiting the ability of public agencies to monitor public employees' use of public assets and resources.
FEDERAL FAIR LABOR STANDARDS ACT (FLSA)	Administrative Services	Support federal legislation to modify inappropriate sections of the FLSA as it relates to local governments, including, but not limited to, the administrative and professional exemptions, salary tests, and the definition of hours worked.
		Support the position that the FLSA was inappropriately applied to state and local governments through court decisions and was never designed to regulate public sector employment and the repealapplication of the FLSA as it relates to local government
DOMESTIC PARTNERSHIP	Administrative Services	Support legislation that would delete the current state criteria that persons in a Domestic Partnership must be members of the same sex or be over 62 years of age.

PUBLIC SAFETY		
SCOPE		Federal and state legislation and issues related to law enforcement, fire and life safety policies. including emergency communications and emergency services, including ambulance and disaster preparedness.
FIRE AND EMERGENCY MEDICAL SERVICES	Fire	Support the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc., as well as cities authority and discretion to provide all emergency services in their communities. Support local control of emergency medical services and authorize cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including ambulance transport services, provided within local boundaries to improve pre-hospital emergency medical service. Oppose legislation, regulations and standards that impose minimum staffing and response time standards for city fire and emergency medical services since such determinations should reflect the conditions and priorities of individual cities.
DISASTER RESPONSE	<u>Fire</u>	Support funding for improved public notification mechanisms during natural disasters and other emergencies, including continuous radio reporting during natural disasters and other emergencies.
INSURANCE [MOVED FROM CITY ADMINISTRATION SECTION]	City Administrator Police/Fire	Support the statewide administrative program that requires a motorist to have proof of insurance to register a vehicle with the Department of Motor Vehicles. Support uninsured vehicles being subject to impoundment, and redeemed only with proof of insurance, with unredeemed vehicles being sold to pay for the cost of the program. Support earthquake insurance policies to cover the cost of replacement or repairs to structures damaged by earthquake. Support state legislation providing Fair Access to Insurance Requirements (FAIR) Plan for last resort earthquake and fire coverage in high risk areas.
FEDERAL FUNDING	Police/ Fire	Support federal funding for public safety, including the Local Law Enforcement Block Grant, Homeland Security Block Grant, the Community Oriented Policing Services (COPS) program, Assistance for Firefighters Grant, Staffing for Firefighters and Emergency FResponse Grant, Fire Prevention and Safety Grants as well as other public safety funding sources.
FEDERAL HOMELAND SECURITY PROTECTION • Communication	Police/Fire	Support direct federal funding to cities, without any match requirements to support local protection efforts with incentives for regional collaboration without any match requirements. Support direct communication between federal agencies and local authorities on critical homeland issues.

 Standards Broadband Network 		Support federal standards, guidelines, and protocols funding to ensure reliable, consistent, timely, and redundant preparedness on the front lines. Support a nationwide, interoperable wireless broadband communication network for public safety first responders. Support local control over front line responses.
LAW ENFORCEMENT Penalties Violent Offenders Cost Reimbursement Booking Fees Parking Citations Data Collection Predators Racial Profiling Deportable Criminals Smoking	Police	 Support the promotion of public safety through: Stiffer penalties for violent offenders; and Additional funding for local agencies to recoup the costs of crime and increase community safety. Oppose booking fees and seek their repeal, while encouraging localities to pursue resolution of the issues with their respective counties. Support legislation that allows mailing parking citations to violators when the violation was identified and confirmed through digital imaging technology. Support data collection on hate crimes based on race, national origin, religion, gender, or sexual orientation and improved federal-local communication and coordination on hate crimes. Support federal action to identify predatory lending practices and increase federal enforcement action against lenders who target vulnerable populations, including, but not limited to, elderly, low-income families, and racial minorities. Support federal anti-racial profiling legislation that provides financial support to state and local law enforcement agencies for training, equipment, and data collection. Support reimbursement by the federal government to local agencies, specifically cities, for the costs associated with incarcerating deportable criminals.
NUISANCE CONTROL Adult Entertainment Alcohol Medical Marijuana Dispensaries Drugs	Police	 Support enhanced local control over public nuisances including, but not limited to: Adult entertainment facilities; Problem alcohol establishments; and Medical marijuana dispensaries; and Properties where illegal drugs are sold. Support legislation to allow cities and counties to designate "Alcohol Impacted Areas" and impose strict local review and controls on the issuance of new Alcohol and Beverage Control (ABC) permits within such areas. [MOVED TO NEW HOMELESSNESS AREA IN COMMUNITY DEVELOPMENT SECTION]

SMOKING AND TOBACCO CONTROL	City Administrator Police	Support legislation that establishes a statewide smoking and tobacco control standard, as long as such legislation does not preempt the ability of cities and counties to enact local laws that are stronger than the statewide standard or to regulate in areas not covered in the statewide
[MOVED FROM CITY ADMINISTRATION SECTION]		 standard. Oppose legislation that would restrict such local authority. Support legislation that limits the ability of minors to obtain tobacco products. Support legislation that reduces the impacts of environmental tobacco smoke. Support legislation providing that all 477 California cities be equitably included in the distribution of moneys that the state receives from the Tobacco Settlement Memorandum of Understanding.
VIOLENT CRIMES	Police	Support the reduction of violence through strategies that address domestic violence, youth access to tools of violence, including but not limited to firearms, knives, etc., and those outlined in the California Police Chiefs Policy Paper endorsed by the League of California Cities' Board of Directors.
GRAFFITI	Police	Support the "Tag You Lose" anti-graffiti campaign. Support increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.
CHILDREN/YOUTH	Police Parks and Recreation, Community Development, and Library	See page 25 for the following issues in this category: • Job Training • Prenatal Care • Youth Program • Federal Grants • Natural Policy • After School • Equal Access • Educational Programs • Parks and Recreation Facilities • Library funding • Universal Health Care
GANG VIOLENCE	Police	Support programs and funding for cities to prevent gang violence and enhance prevention, intervention and enforcement efforts.

ENVIRONMENTAL QUALITY

SCOPE: Issues related to air and water quality, CEQA, integrated waste management, hazardous materials, coastal issues, energy, water conservation, and utilities.

AIR QUALITY

- Improvements
- Regulations
- Land Use
- Local Involvement
- Fund Diversion
- Programs/ Standards
- Health/Safety Code

Public Works/ Community Development

Support regulatory changes and infrastructure improvements that will reduce air pollution.

Oppose legislation that will reduce air quality standards or restrict a-city's permitting and land use planning authority to minimize authority for land uses that may negatively affect negative air quality impacts.

Oppose state regulatory changes that mandate restrictions on residential development setbacks from high vehicle traffic without local input

Support inclusion of city officials on the governing boards of air districts.

Support cities having the authority to establish local air quality standards and programs that are stricter than state and federal standards and oppose efforts to restrict such authority, while reserving the right to question or oppose stronger standards on the merits.

Oppose legislation redirecting the funds authorized by Health and Safety Code Section 44223, which currently are used by local governments for locally based air quality programs.

Support funding for infrastructure improvements required via regulatory changes that will reduce air pollution.

WATER QUALITY

- Infrastructure investment
- Standards
- Liability
- Federal Safe/ Clean Water
- "Bounty Hunters"
- Water Softeners
- Watershed Management
- Treatment
- Reclaimed Water
- Reuse
- Graywater
- Numeric Limits
- Diversion
- Financial Commitment

Public Works/ Community Development

Support a renewed state and federal financial commitments to funding for water infrastructure, surface water quality improvement, and urban creek restoration, especially for cities with a history of effective management of water and wastewater infrastructure.

Support state and federal financial commitments to surface water quality improvement and urban creek restoration.

Support the ability of cities to enact discharge and water quality requirements or standards that are stricter than state or federal standards, while reserving the right to question or oppose stronger standards on the merits.

Support legislation to protect public agencies that provide wastewater treatment services, from liability for pollution or contamination to groundwater <u>resulting</u> from chemicals <u>that are</u> unlawfully discharged into the collection system.

Support efforts to improve the Federal Safe Drinking Water Act and the Federal Clean Water Act and their-implementation procedures to protect public health and the environment in an efficient and effective manner.

Oppose legislation to enact "bounty-hunter" rewards for individuals who identify water quality or water pollution violators.

- Frivolous Lawsuits
- Fees/Penalty Revenues
- NPDES
- State/Regional Discretion

Support the rights of cities to enact ordinances that restrictions on the use of water softeners to minimize impacts to wastewater treatment operations.

Support regulations and legislation that promote watershed management as a <u>tool to improve</u> water quality tool that appropriately spreads the responsibility for clean water beyond the requirements that apply to point source dischargers and publicly owned treatment works.

Support legislation that encourages the <u>cost-effective</u> treatment of municipal wastewater for non-potable reuse, <u>authorizes funding for projects improving, enhancing, or expanding the use of recycled water</u>, and maximizes the responsible use of reclaimed water as an alternative to California's fresh water supply.

Support legislation that removes barriers to gray water systems in public, commercial, industrial, multi-family, and single family projects.

Support legislation that updates gray water standards, and encourages simple and cost effective permitting process of gray water systems, and removes barriers to installing gray water systems in public, commercial, industrial, multi-family, and single family projects.

Oppose legislation that requires the use of unreasonable numeric limits in waste discharge permits and storm water permits.

Support efforts to set <u>clear_well-defined</u> water quality goals-as occurred with solid waste <u>diversion legislation</u>.

Support federal financial commitment to cities that have a history of effective management of water or wastewater infrastructure requirements/investments.

Support, as appropriate, state and federal legislative and administrative remedies that would:

- Limit frivolous-citizen lawsuits for personal financial gain for minor violations of the Clean Water Act but continue to allow injunctive relief for documented violations resulting in substantial documented impacts to water quality of the Clean Water Act if the violations are not the subject of enforcement proceedings by state agencies or by local water quality control boards;
- Ensure that the majority of funds collected from a city as fees, penalties, or judgments are
 directed toward correcting the cause of past, current and projected violations of a city's
 National Pollution Discharge Elimination System permit;
- Return limited discretion to state and regional water quality control boards in setting penalties to allow fairness based on severity and circumstances of the violation; and
- Encourage the state and regional water quality control boards to use their existing discretionary authority, in keepingconsistent with the requirements of the Clean Water

	Act, to issue permits that are reasonably achievable.
	Support legislation that promotes water conservation.
	Support funding for mandated infrastructure improvements that will reduce water pollution.
	Support the review and evaluation of proposals for state water taxes.
Public Works/ Community Development and Fire	Support the ability of local governments to enact local standards or regulations that are stronger than those enacted by the state and federal governments.
	Support efforts to streamline and coordinate hazardous materials regulation among various levels of government, including city fire departments and county environmental health departments.
	Support the ability of city fire departments to be as the administrating agencies for any of the major hazardous materials laws regulations or to be the lead agency (the Certified Unified Program Agency) under the SB 1082 program to approve the use and storage of hazardous materials above certain threshold limits and to manage inventory information used by emergency first responders.
	Oppose legislation or regulations to restrict such authority.
	Oppose efforts to restrict the ability of cities to issue building or other permits it is now authorized to issue, relative to hazardous materials laws, as long as such facilities comply with the local zoning ordinance and established health and safety standards regulations.
	Oppose any proposals that would preempt the ability of a city to deny a land use permit or restrict its ability to issue a conditional use permit for the siting of a hazardous waste facility.
	Support regulation that allows the storage of biodiesel storage (for blends up to blends of B20) in existing Underwriters Laboratory (UL) rated in ground tanks that have secondary containment and working leak detection systems, at the discretion of the local jurisdiction.
Community Development <u>/</u>	Support protecting cities' ultimate say on whether a proposed determination that brownfield remediation projects are is consistent with local land use policy.
Public Works	Support additional fiscal resources and options to restore and develop urban and industrial brownfields contaminated by hazardous materials.
	Support the establishing site –specific clean upremediation levels of a project being based on the site's its proposed use (i.e., parking garage, as opposed to residential development).
	Support placing and keeping mechanisms, such as restrictive covenants or deed restrictions, in place to ensure that the level of remediation is appropriate for the a future land use use for the property is appropriate given the level of remediation.
	Community Development and Fire Community

Responsibility		Support continued state agencies having the responsibility to do the for technical evaluation for of site assessments and remediation plans.
		Support a property owner being required continued the site owner responsibility to accomplish do the for necessary site assessments and remediation clean up if the owner plans to develop the site.
INTEGRATED WASTE MANAGEMENT	Finance / Community Development	Support legislation and other efforts to increase the markets for recycled materials, including advance disposal fees, minimum content laws, and recycling market development zones. Support legislation implementing the concept of to strengthen manufacturer responsibility for electronic waste recycling. Support efforts to strengthen curbside recycling programs. Support legislation to expand the container types included in the California Redemption Value ProgramAB 2020 bottle bill program. Support legislation that promotes reduced packaging and Extended Producer Responsibility (EPR). Support legislation that requires owners of multi-unit housing to provide recycling to the tenants. Support legislation to develop a permit process for solid waste anaerobic digestion and/or conversion technologies that are capable of minimizing the amount of solid waste landfill and do not impede or impair existing and planned recycling and waste reduction programs. Support the ability of jurisdictions to impose a fee or tax on single-use bags. legislation and other efforts to promote the use of multi-use bags by consumers and to reduce the prevalence of single-use bags in the environment. Support legislation and other efforts that facilitate collection and proper disposal of waste pharmaceuticals. Support the right of cities under existing law to be designated as Local Enforcement Agencies for solid waste facility permitting, inspection, and enforcement. Oppose legislation that would preempt local land use authority over solid waste facilities, restrict the ability of a city to issue a land use permit for a solid waste facility, or restrict the ability of a city to issue a land use permit for a solid waste facility, or restrict the ability of a city to apply conditions to such facilities through the conditional use permit process.
UTILITIESLocal ControlPublic UtilitiesCommission	Public Works	Support the constitutional right of municipal utilities to operate outside the jurisdiction of the California Public Utilities Commission (PUC) and oppose any legislation that would erode the ability of municipal utilities to operate, or place them under PUC control.

Rate Setting		Oppose any legislation that interferes with local utility rate setting authority.
CLIMATE PROTECTIONIncentivesFuel Efficient	Public Works/ Community Development	Support grants, loans, tax credits, and other incentives to assist local governments, businesses, and the public to invest in energy efficient equipment and renewable energy technology.
Renewable Energy		Support incentives for local governments to complete an inventory of local government facility greenhouse gas emissions, and to conduct an inventory of their whole jurisdiction.
		Support grants and other financial incentives for local governments to implement state mandates, including completing and updating an inventory of local government facility greenhouse gas emissions, conducting and updating an inventory of their whole jurisdiction, setting emission reduction targets and monitoring progress, and creating emission reduction
		action plans. Support grants and other financial incentives for local governments to assess vulnerability and develop and implement adaptive management measures for climate change effects on public health, sea level rise, coastal erosion and inundation, flooding and wildfire hazards, water
		supply and water quality, biological resources, energy demand, local economy, and other effects.
		Support legislation that streamlines permitting requirements and costs for energy producing facilities on federal land or which exempts small energy plants (less than 5 mW) from FERC licensing requirement, and require only state and local regulations, as applicable.
		Support grants, loans, tax credits, and other incentives to assist the public and local governments in using alternative fuels and purchasing fuel efficient and/or flex fueled vehicles.
		Support legislation that increases energy efficiency requirements as part of the building codes as long as they are healthful.
		Support legislation to permit assignment of the Public Goods Charge to local governments for implementation of energy conservation programs and projects.
		Support legislation and measures that encourage renewable energy generation, remove roadblocks to facilitate renewable resource development, and provide incentives for small renewable generation projects.
		Support legislation or regulations allowing wheeling of power and <u>/</u> -or appropriate remuneration for energy provided to the grid by municipalities.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

- Fair Argument Test
- Master EIR Funding
- Notification
- Duty to Respond
- Timelines for CEQA Contract
- Arbitration
- Bounty Hunter
- Re-Circulation
- Notices
- Effect on Environment
- Significant Thresholds
- Indirect and Cumulative Effects
- Alternative Site Requirement
- No Project Alternative
- Coastal Commission Authority
- Frivolous Appeals
- Offshore Development
- Authority
- Lead Agency
- Restrictions/ Mandates
- Local Standards
- Habitat Plans
- Environmental Review

Community Development

Procedures and Notices

Oppose the elimination of the fair argument test as the threshold for determining whether to prepare an Environmental Impact Report (EIR).

Support the development of a funding source for Master EIRs to streamline individual project CEQA reviewas proposed in the Little Hoover Commission report.

Oppose shifting the responsibility to notify responsible agencies from the Lead Agency to the State Clearing House.

Oppose shielding Lead Agencies from responding to comments received more than 30 days after a Notice of Preparation (NOP) or received verbally.

<u>Support limiting Lead Agency response to late comments received following issuance of the Final EIR and prior to certification.</u>

Support eliminating subdivision (b) of Public Resources Code Section 21151.5, which the mandateds the timeline for entering into CEQA consultant contracts.

Support adding a "CEQA arbitrator" option to the requirement that each county over 200,000 designate a "CEQA judge."

Support voluntary efforts and encouragement of mediation and arbitration mediation in CEQA disputes but not mandatory arbitration.

Support limitations on lawsuits that have little merit by eliminating the availability of provisions for fee recovery by petitioners or by authorizing cities to collect their fees and costs in cases where they are the prevailing party. [MOVED TO ADMINISTRATION SECTION]

Support raising the threshold for re-circulation of EIRs so that only new "significant unavoidable impacts" would necessitate re-circulation.

Support requiring that all projects proposed by any state or local public agencies comply with the identical local public notice requirements that would be applicable to projects sponsored by private developers in the jurisdiction where the project is located.

Support allowing a tiered Mitigated Negative Declaration (MND) subsequent to an EIR with significant impacts and overriding considerations when the subsequent project qualifies for an MND.

Definition of a Project

Support narrowing the definition of "project" to discourage CEQA lawsuits on non-environmental matters.

Significant Environmental Effects

Oppose the creation of a new mandate requiring cities to develop boilerplate significance thresholds.

Oppose a single statewide set of standards for determining significance at the local level.

Support focusing CEQA review by limiting analysis onto physical environmental effects.

Oppose amending the definition of <u>"effects"</u> to eliminate the analysis of indirect and cumulative environmental effects.

<u>Support</u> amending the guidelines to clarify requirements for analysis of cumulative and indirect environmental effects.

Support development of a clear methodology for preparing CEQA analysis of potential global warming impacts of proposed projects. [MOVED FROM AIRPORT SECTION]

Oppose exempting projects that are subject to their own subsequent environmental review from consideration as a reasonably foreseeable future project when analyzing cumulative impacts.

Alternatives

Support eliminating the alternative site requirement for all private projects.

Oppose the elimination of the "no project alternative."

Coastal Issues

Oppose legislation that would permit the state to impose unreasonable conditions on Local Coastal Plans developed by cities and counties.

Support efforts to curb frivolous appeals to local coastal decisions.

Support extension of the Federal Coastal Protection Act prohibition of additional oil offshore development based, in part, on concern about the impacts to on-shore support facilities and services by offshore development activities.

Oppose legislation that grants authority to the Coastal Commission that is inconsistent, duplicative and overlapping with the authority of other regulatory agencies, such as regional water quality control boards or other agencies or that grants the Coastal Commission authority outside the coastal zone.

Miscellaneous

Support the right of cities to serve as Lead Agencies for the purposes of the Surface Mining and Reclamation Act (SMARA).

Oppose any federal or state regulation, statute or constitutional amendment which would place restrictions on federal, state, and local government actions regulating private property or requiring additional compensation beyond the continually evolving judicial interpretation of the

Fifth Amendment of the U.S. Constitution.

Support flexibility for state and local governments to enact environmental and other standards or mandates that are stronger than the federal standards, reserving the right to question or oppose stronger standards on the merits.

Oppose legislation that prohibits state and local governments from enacting stricter standards.

Support the ability of local governments to voluntarily develop and approve species habitat plans for their communities, in conjunction with willing property owners.

Support legislation that would consolidate and streamline environmental review studies and processes, and encourage other forms of inter-agency cooperation, for proposed development projects that require permits from multiple jurisdictions (local, state, and federal).

Opposelegislation, proposed administrative procedures or other initiatives that would add redundant environmental review processes.

HOUSING, COMMUN	NITY AND ECON	IOMIC DEVELOPMENT
SCOPE		Policies that foster local control of community planning decisions as they relate to land use, affordable housing, cultural arts, human and neighborhood services, redevelopment and the community's economic health.
AIR QUALITY	Community Development /Public Works	See page 8 for the following issues under this category: • Improvements • Regulations • Standards • Land Use • Local Control • Fund Diversion • Governance • Health/Safety Code.
WATER QUALITY	Community Development/ Public Works	See page 8 for the following issues under this category: • Infrastructure investment • Local Control • Standards • Liability • Streamlining reform • "Bounty Hunters" • Water Softeners • Watershed Management • Treatment • Reuse • Reclaimed Water • Numeric Limits • Diversion • Frivolous lawsuits • Remedies • Fees/Penalty revenues • NPDES • State/regional discretion.
HAZARDOUS MATERIALS	Community Development /Public Works	See page 9 for the following issues under this category: • Local control/standards • Streamlining • Administrating agencies • Lead agency • Building permits • Land use.
INTEGRATED WASTE MANAGEMENT	Community Development /Public Works	See page 11 for the following issues under this category: * Local control • AB 939 • Streamline • Green Waste • CIWWB • Diversion • Measurement • Requirements • Non-burn transformation • Market development • Staffing • Variable can rates • E waste • Curbside recycling • AB 2020 • Packaging • Local LEA • Authority • Landfills • Landuse • Landfill certification.
TOURISM	Community Development	Support federal and state efforts to foster tourism policy development and coordination, and raise awareness of the economic impact of travel and tourism. Support funding to create a national identity for the U.S. as a premier travel destination with funds to be allocated directly to local governments. Support federal and state assistance to the travel and tourism industry.
ARTS, HISTORIC PRESERVATION, CULTURAL RESOURCES •National Support •Funding	Community Development	Support the National Endowment for the Arts, National Endowment for the Humanities, and the Office of Museum Services within the Institute of Museum and Library Services. Support funding for historic preservation, cultural resources, local arts activities, these and arts agencies at levels to sustain the nation's cultural infrastructure, including support for the National Endowment for the Arts, National Endowment for the Humanities, and the Office of

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Museums, Humanities		Museum Services within the Institute of Museum and Library Services.
Humanities, Education		Support funding for Arts in Education in the U.S. Department of Education's Fund for Improvement of Education to encourage high quality arts instruction in schools.
PLANNING AND ZONING General Plans	Community Development	Support the use of the general plan as a guide to meeting community planning needs. A city's general plan should not be subject to mandatory review by regional or state agencies. Support having the best information available on the reliability of water supplies when land use
WaterSupply/Land UseZoning		decisions are made by local agencies, while protecting and retaining local land use decision-making authority.
		Support protection of local zoning as a primary function of cities and an essential component of home rule. State agency siting of facilities, including campuses and office buildings, should be subject to local notice and hearing requirements, and local land use policy and zoning requirements in order to meet concerns of the local community.
AFFORDABLE HOUSING • Financing • CDBG/HomeHO ME	Community Development	Support legislation and state and federal programs that assist in providing financing for affordable housing, including the development of fiscal tools and incentives to assist local governments in their efforts to encourage housing and finance the infrastructure to support housing.
Federal Funding Legal Protections HOPE VI Section 202		Support federal funding for the Community Development Block Grant Program (CDBG) for community development, affordable housing, neighborhood improvement, and economic development needs.
Elderly HousingElderly Housing		<u>Support federal funding for and the HOME Investment Partnerships Program that creates and preserves affordable housing for low and moderate-income families and individuals.</u>
 Non-Profits Section 8 Section 811 Funding McKinney Act Fair Market Rents 		Support federal funding of: 1) HOPE VI for an additional ten years; 21) Section 202 for nNew construction and rental assistance, modernization of units of elderly housing, also known as HUD Section 202; 23) efforts to preserve elderly housing, and permitting nonprofit organizations to purchase elderly housing projects with expiring Section 8 contracts; and 34) Section 811 funding for the disabled Housing for persons with disabilities, also known as HUD Section 811; and 4; and 45) McKinney Act hHomeless assistance grants, also known as
		McKinney Act (S. Faulstich)
		Support and encourage legislation that establishes additional legal protections to local agencies that approve affordable housing and that establish local pro-active affordable housing policies.
		Support the preservation of the HUD Section 8 Program Ffunding.

		Support at the federal level, the calculation of Section 8 "fair market rents" and "area median income" on a sub-regional basis, rather than on a countywide basis.
HOMELESS	Community Development/ Police	Support legislation and state and federal programs that assist in providing funding for homeless services, including day centers, emergency shelters, transitional housing or permanent supportive housing. Support legislation to reinstate the previous definition language for satellite food distribution that
		exempted non-profit organizations serving prepackaged servings of food from having to meet extensive structural and operational requirements, usually at remote sites, to obtain a permit.
		Support legislation to allow cities and counties to designate "Alcohol Impacted Areas" and impose strict local review and controls on the issuance of new Alcohol and Beverage Control (ABC) permits within such areas. [MOVED FROM PUBLIC SAFETY SECTION]
JOB CREATION	Community Development	Support legislation that will provide tangible and productive tools and incentives to support job creation and retention.

HOUSING

- Housing Element
- Growth
- Accountability
- Performance Standard
- Incentives
- Streamlining
- Reforms
- Growth
- RHNA Units
- Disputes
- Consistency

Community Development

Support the following housing principles:

Housing issues should be addressed in the general plan as other planning issues are. The housing element should be prepared for the benefit of local governments and should have equal status with the other elements of the general plan.

The projections of regional and local growth and the allocation of housing units should account for state and local planning factors and should be subject to a formal hearing and appeal process to ensure that they are realistic and fair. Cities or cities and counties should be allowed to work together to allocate housing units among themselves within a sub-region. Politically accountable officials at the state and regional levels should hear appeals to ensure that all public entities in the South Coast region receive an equitable allocation of housing units.

Local government efforts should be subject to realistic performance standards not to arbitrary state agency review of the housing element. Local government housing efforts should be rewarded by incentives. These incentives should include streamlining by not being subject to HCD review, priority ranking for discretionary funds, and new discretionary funds available for general fund purposes.

Support and encourage legislation that implements comprehensive reforms to the housing element process to:

- Address conflicts between local growth projections and state regional housing need numbers;
- Allow cities to work together to allocate housing units among themselves within a subregion;
- Resolve the problems associated with the distribution of RHNA units within a council of governments;
- Achieve improvements to Improve the housing element review process; and
- Develop a neutral dispute resolution process and fair enforcement alternatives to deal with disputes over questions of compliance.
- Revise the formal appeal process so appeals can be heard by politically accountable officials at the state and regional levels;

Support and encourage legislation that requires state laws and policies, which affect related to housing and land use, to be internally consistent and consistent with each other.

REDEVELOPMENT Flexibility Liability Project Area Redevelopment Plan ERAF RDA Sunset	Community Development	Oppose legislation aimed at eliminating redevelopment agencies. Support legislation that increases the flexibility in the use of redevelopment authority. Oppose limiting authority or increasing the liability of redevelopment agencies. Support legislation that provides for the appropriate extension of existing redevelopment project areas that face statutory expiration. Support legislation that allows redevelopment agencies to continue to collect tax increment and extend project area activities in pursuit of Redevelopment Plan goals and to provide affordable housing beyond existing statutory deadlines. Oppose legislation such as Educational Revenue Augmentation Fund (ERAF) and Supplemental Educational Revenue Augmentation Fund (SERAF) that diverts locally-generated tax increment funds from redevelopment agencies. Support legislation to retain redevelopment agency authority to collect and use the increment for affordable housing beyond the current RDA sunset.
RENT CONTROL Ordinances Mobile Homes	Community Development	Support local control of mobile home rent control ordinances.
SUBDIVISION MAP ACT Local Control Antiquated subdivisions	Community Development	Support maximizing local control over subdivisions and public improvement financing-and maintaining —Ddiscretion over the conditions and length of subdivision and parcel maps should be retained by cities. Support reversal of legislation recognizing antiquated subdivisions as legal lots.
RESIDENTIAL CARE FACILITIES Permitting Regulating Licensing Restrictions	Community Development	Support permitting cities to exercise review and land use regulation of group home facilities and residential care facilities in residential neighborhoods including the application of zoning, building, and safety standards. State and county licensing agencies should be required to confer with a city's planning agency in determining whether to grant a license to a community care facility. Better review and regulation of residential care facilities will protect both the community surrounding a facility and the residents within a facility from a poorly managed facility or the absence of state oversight.

Local authority Infrastructure Mitigation Condition and Deny Authority	Community Development	Support providing local discretion in the assessment, collection, and usage of development fees. Support the state provision of infrastructure funding to help local communities meet California's growth demands and to increase housing affordability. Oppose limiting the ability of cities to levy fees to provide for infrastructure or services. Support maintaining city discretion over the extent to which legislative authority should be exercised to fully mitigate impacts from development to the adequacy of school facilities. Support maintaining the cities' ability to condition and deny projects that determine to inadequately mitigate impacts to community schools.
STATE SUBVENTIONS FOR AGRICULTURAL LAND CONTRACTS	Community Development	Support the continuation of State subvention payments to local governments to offset lower property tax rates for agricultural and open space lands in Williamson Act contacts, which provide region-wide protection against conversion of these lands to urban uses and potential associated effects such as loss of prime agricultural soils, loss of agricultural viability, loss of plentiful food supply, loss of habitats, and increased traffic, etc.
ANNEXATION AND INCORPORATION	Community Development	Support strengthening city control over urban boundaries.— <u>and modifying</u> Sphere of Influence law should be modified to limit urban development in unincorporated areas of a county and to facilitate the annexation of urban areas to cities. Support revising tThe Revenue and Taxation Code shouldto not allow counties to block annexations in exchange for unreasonable property tax sharing agreements. Support In addition, expanded authority for cities should have expanded authority over adjacent lands outside their sphere of influence regardless of jurisdictional lines so long as the land is not within another city's sphere.
DEVELOPMENT AGREEMENTS	Community Development	Support voluntary development agreements as one tool for providing flexibility in development approvals.
Health and Safety Occupancy Licensing	Community Development	Support flexibility in the adoption and implementation of health and safety standards contained in the building codes. Support authorizing cities to adopt independent occupancy standards to prevent overcrowding and associated health and safety hazards, including fire-related fatalities. Oppose legislation that would remove licensing requirements for professionals such as architects, landscape architects, contractors, and others related to building and development.

MILITARY BASE CLOSURE AND REUSE	Community Development	Support local decision making over closed military base reuse. Support incentives for the reuse of closed military facilities to meet local community needs as determined by local governments.
RENT CONTROL/MOBILE HOME REGULATION AUTHORITY	Community Development	Support initiatives that maintain cities as the enforcement authority for mobile home park regulation, including rent control. Support the preservation of existing mobile home parks as an important source of affordable housing. Support legislation that would retain the affordability requirement of mobile homes upon annexation.
SIGN REGULATION	Community Development	Support the authority of cities to regulate billboards and other signage.
ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES	Community Development, Parks and Recreation	Support the continued state funding for local arts activities and historic preservation.
CHILDREN/YOUTH	Community Development, Parks and Recreation, Police, and Library	See page 26 for the following issues in this category: * Job Training * Prenatal Care * Youth Program * Foster Care * Federal Grants * Natural Policy * After School * Equal Access * Educational Programs * Parks and Recreation Facilities * Library funding * Universal Health Care.

TRANSPORTATION, PUBLIC WORKS and COMMUNICATIONS

SCOPE

TRANSPORTATION Public W

- Funding
- •TEA 21
- Alternative Transportation
- •Fund on Merit
- Directly Appropriate
- Unmet Infrastructure
- Housing
- Gas tax
- •Local Autonomy
- Bicycle/ Pedestrians
- Commuter Rail/OnTRAC
- Measure AD
- On TRAC

Public Works/ Community Development

Review both state and federal legislation as it relates relating to issues of transportation funding, construction, public works, telecommunications, and other related areas.

Support continued funding for surface transportation programs authorized in the Transportation Equity Act: Moving Ahead for Progress in the 21st Century (MAP 21).

Support additional funding for local public transportation, other transportation alternatives to single occupancy vehicles, and other critical unmet infrastructure needs.

Support funding projects on their merit in accordance with identified criteria.

Support the <u>continued</u> adoption and implementation of a <u>regional</u> long-term capital investment plan and budget to upgrade and repair vital infrastructure.

Support a continuous appropriations of existing and new state and federal funds directly to cities and counties for the preservation, maintenance, and rehabilitation, and improvement of the local street and read-transportation system.

Support maximizing investments in infrastructure and reinforce local land use practices to accomplish strategic local growth objectives.

Support leveraging state investments to fund affordable housing and critical local and regional infrastructure projects to accomplish regional priorities.

Support enhanced autonomy for local transportation decision-making and pursue transportation policy changes that move more funding and decision-making to the local policy leaders evel and to or fund urban infrastructure needs.

Support funding opportunities for bicycle and pedestrian projects.

Support bicycle and pedestrian access with maximum local flexibility to prioritize this transportation need, as long as funding is available directly for it and other transportation priorities are not affected.

Support legislation that would provide funding to explore the feasibility of establishing commuter-rail service within the region.

Support legislation and policies that promote the goals, objectives, and continuation of Measure D pA programs.

Support legislation and policies that promote the goals and objectives of the On-TRAC <u>commuter rail</u> program.

Support federal funding of Highway 101 improvements as a top regional priority, not precluding and federal funding for local priority projects and other funding categories.

		Support legislation that maintains or increases local funding for transportation projects, including State gas tax, Highways Users' Tax (HUTA) Proposition 42 and Proposition 1B funding.
		Support legislation that prevents "borrowing" or taking of local transportation funds by the State of California.
PUBLIC WORKS PROJECTS	Public Works	Support maintaining retention proceeds for any public works contract to assure that the primary contractor completes all required work and permits the City's final acceptance of the project.
FlexibilityPartnershipsInnovations		Support retaining maximum flexibility for timely and cost-effective completion of public works projects.
Lower Mission Creek		Support innovative strategies including public-private partnerships at the state and local levels to enhance public works funding.
		Support changes to law that allow cities the options to use design-build contracting and other innovations designed to enhance efficiency with public contracting.
		Support continued funding for the Lower Mission Creek project in annual federal appropriations and authorized by the Water Resource Development Act.
VEHICLES • Road Damage • Local Control • Safety	Public Works/ Community Development	Oppose all efforts to increaseing the weight of large vehicles allowed on city streets to prevent damage to street and roadway infrastructure damage and associated that would result in increaseds higher street maintenance costs.
• Salety		Support retention of maximum City control of the local street and road system.
		Support traffic safety enhancements such as motorcycle helmets, child restraints, seat belt and speed limit laws.
		Allow for Support greater local discretion for setting to set lower speed limits.
CABLE TELEVISION – ACCESS AND REVENUES	Finance	Support the ability of cities to retain public, educational and government access channels, institutional networks and franchise revenues from cable television and other video providers.
		[MOVED TO REVENUE AND TAXATION SECTION]
TELECOMMUNICATIONS •Local Control/ Taxes	Public Works	Oppose any state or federal efforts to erode the ability of local governments to maintain existing taxes on telecommunication services. [MOVED TO REVENUE AND TAXATION SECTION]
 Infrastructure Right-of-Way 		Support the authority of cities to zone and plan for the deployment of telecommunications infrastructure.
		Support the ability of cities to maintain and manage the public right-of-way and receive compensation for its use.

AIRPORT		
SCOPE		Issues related to federal and state legislation affecting airport operations funding regulation, and implementation of the Aviation Facilities Plan .
	Airport	Impermentation of the Airport Master Plan, the Aviation Facilities Plan. Support legislation reauthorizing Federal Aviation Administration (FAA) and the Airport Improvement Program (AIP), including support of the following provisions: o Increase AIP funding and maintain or reduce the 5% AIP match requirement for small airports; o Strengthen or maintain budget protections for AIP funding; Eliminate unecessary AIP grant assurances; and o Maintain or expand revenue sources that contribute to AIP. Support federal legislative efforts to maintain or increase appropriations to the AIP for infrastructure projects relating to safety, security, aviation operations and capacity, and noise abatement. Support dedicated aviation security operations and infrastructure funding sources separate from the AIP. Support efforts to reimburse airports for operational and infrastructure costs associated with implementation of federal security and other mandates. Support bankruptcy reform legislation that helps protect airports from the impact of airline bankruptcies. Support reclassification of all airport bonds as 'governmental' instead of 'private activity.' Support continuation of the elimination of the Alternative Minimum Tax (AMT) penalty on Airport Private Activity Bonds. Support efforts to provide airports with greater flexibility in the use of AIP and Passenger Facility Charge (PFC) funds, including elimination of the mandated loss of entitlement funds from imposing a higher PFC. Support an increase or elimination of the cap on PFC charges. Support efforts to streamline the airport PFC application and reporting process. Support efforts to eliminate and restructure the federal Airport Disadvantaged Business Enterprise (DBE) program.

		,
		Support legislation that provides individual airports flexibility in establishing rental car Customer Facility Charges (CFC) based on local market conditions and debt service needs.
		Support funding for modernization of the FAA air traffic control equipment to improve the safety and efficiency of the national air transportation system.
SAFETY AND SECURITY	Airport	Support streamlining the airport security screening process to reduce passenger inconvenience and improve customer service, while maintaining security and safety.
		Support a threat based (risk-based) system of air cargo inspection and screening.
		Support local primacy in granting access to airport restricted areas.
		Support efforts to preserve current staffing levels for Aircraft Rescue and Fire Fighting (ARFF) crews.
		Support an adequately funded Transportation Security Administration (TSA).
		Support timely, secure and cost effective background screening for Airport employees.
		Support measures to improve Santa Barbara Airport's ability to regulate and enforce rules established for ground transportation providers.
 ENVIRONMENT Noise standards Greenhouse Gases Airport Noise Environmental Review 	Airport	Support measures to alleviate noise impacts on communities surrounding airports that benefit both the community and the airport such as the implementation of a phased Stage 3 requirement for lighter jet aircraft and the phase-out of noisy Stage 1 and Stage 2 jet aircraft weighing less than 75,000 lbs.
		Support efforts to reduce pollution, including potential greenhouse gas emissions, resulting from aircraft operations and airport ground service equipment.
		Oppose efforts to expand state airport noise standard variance requirements.
		Support additional steps to expedite the airport environmental review and approval process while preserving environmental protections.

AIR SERVICE	Airport	Support legislation that stimulates the airline industry's ability to provide air service to Santa Barbara.
		Support legislation that recognizes or encourages aviation's contributions to the economy that result from air travel, tourism, commerce, freight transport, and manufacturing.
		Support a passenger bill of rights that is consistent with Airport and SBA passenger needs. Support changes that would enhance Santa Barbara Airport's ability to improve air service options for local travelers.
TRANSPORTATION/ INFRASTRUCTURE	Airport	Support legislation funding connectivity between air and ground transportation through improved infrastructure and enhancement of alternative transportation options.
PLANNING • Land Use • Planning •CEQA • Coordination	Airport	Support efforts to ensure that development around airports is consistent with land use planning guidelines and compatible with airport operations.
		Support development of a clear methodology for preparing CEQA analysis of potential global warming impacts of proposed projects. [MOVED TO ENVIRONMENTAL QUALITY SECTION]
		Support coordination between FAA and sponsor airports on National Environmental Policy Act (NEPA) compliance issues and preparation of joint NEPA/CEQA documents.
RENTAL CAR CONCESSIONS	Airport	Support airport interests in proposed legislation that may impact the terms under which rental car concessions operate at the airport.
EDUCATION	Airport	Support aviation education that informs students about career opportunities in aviation and encourages interest in a math and science curriculum.

WATERFRONT					
SCOPE		Issues related to federal and state legislation affecting harbor operations, funding, and regulation.			
PUBLIC ACCESS	Waterfront	Support continued public access to marinas, state tidelands, waterfront facilities, and marine resources.			
ECONOMIC CONTRIBUTIONS	Waterfront	Support legislation that recognizes economic contributions of ports and harbors to state and federal economies, through maritime trade, maritime industries and commercial fishing.			
CONGRESSIONAL OVERSIGHTFEDERAL REGULATION	Waterfront	Support Congressional oversight coordination of Executive Agencies to ensure timely permitting of statutorily mandated Civil Works projects, and contain regulatory demands that inflate project costs.			
SEARCH AND RESCUE OPERATIONS	Waterfront	Support the U.S. Coast Guard's services mission to conduct Homeland Security and search-and-rescue operations as an agency priority agency priorities.			
Local Authority Disposition of Crafts Non-Native Marine Species Waste Seabirds Water Pollution Fuel Tank Oil Spills Recycling Boat Paint	Waterfront	Support enhanced local authority over disposition of wrecked, derelict, abandoned, non-operable or non-seaworthy craft. Support legislation that encourages and/or funds eradication or control of non-native marine species in ports and harbors. Support physical alternatives or grant funds for disposal of marina-generated household wastes, dredge materials or treated building materials. Support efforts to ensure seabird protection while allowing ports and harbors to control or abate nuisance fowl. Water Pollution Support state or federal funding for retrofits or rehabilitation of underground marine-fuel tanks or systems. Support state or federal funding of mitigation or remediation ofto mitigate or remediate non-point source and point-source pollution that affects harbor water quality. Support and advance programs and state funding aimed at reducing or eliminating point-source pollution in California ports and harbors. Support efforts to fund oil-spill prevention and/or recovery response in ports and harbors. Support efforts to fund recycling and/or disposal options for waste oil and other byproducts of maritime activities or vessel maintenance. Support efforts to research and test alternatives to copper-based anti-fouling paints for boat bottoms.			

FISHERIES • Fishing • Ecological Health • Planning	Waterfront	Support environmentally compliant commercial and recreational fishing, as essential to the fabric of working ports and harbors. Support legislative efforts to sustain the ecological health of aquatic biological systems, including fish, shellfish, and marine mammals. Support a planning process for the Marine Life Protection Act in Southern California that includes input from the science community and all interested stakeholders to protect the marine heritage and ensure long term viability of coastal communities and fisheries. Support protection of the California Gray Whale and efforts to assess its population, mortality rates and migration rates.
LOCAL CONTROL Revenues Use Preservation Environment Sanctuaries Local Control Cruise Ships Air Quality	Waterfront	Support compliance with the California Constitution as it relates to continuation of the Tidelands Trust Grant and requirements that all revenues generated within the granted lands are used to repair, maintain, and improve facilities and infrastructure within those granted lands. preservation of tideland revenues, as well as the return of local user fees, locally collected property taxes and similar funds to the California ports and harbors of origin. Support legislation allowing ports and harbors to establish or designate local control over special- use areas for vessels or related recreational equipment of a specific type or use. Support the preservation of ocean resources through established marine sanctuaries, while reserving the ability to comment on potential sanctuary expansion by the Harbor District that could affect activities including but not limited to dredging, vessel traffic, wastewater disposal, or general construction, and-maintenance and repair of Waterfront facilities. Support local jurisdictional control and environmental/regulatory oversight of cruise ship visits near ports and harbors. Support state and federal efforts to reduce air and water quality impacts of shipping in the Santa Barbara Channel. Support state and federal efforts to reduce environmental impacts of shipping, including whale strikes, in the Santa Barbara Channel. Support state and federal efforts to reduce environmental impacts of oil seeps in the Santa Barbara Channel.

DREDGING Waterfront Support policies and funding for dredging small-craft ports and harbors, including environmentally Funding feasible disposition of dredged materials and/or the use of dredged materials for beach nourishment. Material Support opportunities, when environmentally feasible, for the removal and disposition of dredged Corps of materials. Engineers Federal **Support** full execution by the Corps of Engineers of its basic navigation, shore and flood protection Initiatives mission, as well as environmental restoration and recreation authorized by Congress. Obligation **Support** federal initiatives that benefit Congressionally authorized marine infrastructure needs including: Maritime Infrastructure Banks: Marine Transportation System Vision 2020; , maintenance dredging of Santa Barbara Harbor, expanded ocean dredge disposal sites ; and development of new upland dredge disposal and reuse sites. with provisions of federal ownership and cost sharing for such sites. Oppose any action that would prohibit the U.S. Army Corps of Engineers from realizing its mission obligation to dredge Santa Barbara Harbor. **FACILITIES** Support legislation providing federal or state grant or low-interest loan funds granting federal funds Waterfront Funding (or low-interest, no-interest loans) for development of harbor infrastructure facilities. Abandoned Oppose legislative or administrative efforts to eliminate the state Department of Boating and Watercraft Waterways and/or reduce/or reallocate its budget. Utilities **Boat Launching Oppose** legislative or administrative efforts to reallocate or divert funds from the intended purposes Repair and of the State Harbors and Watercraft Revolving Fund, as described in Sections 85-88 of the California Maintain Harbors and Navigation Code. Harbor Support legislation expanding and/or increasing the budget of the state's Abandoned Watercraft **Facilities** Abatement Fund and Vessel Turn In Program. Oppose legislative or administrative efforts to decrease the budget of the state's Abandoned Watercraft Abatement Fund. Support legislation providing harbor managers a financially feasible means of supplying and recovering costs of utilities, such as electricity to berths and marinas. **Support** legislation that funds construction and/or maintenance of boat-launching facilities. Oppose legislation that seasonally restricts the ability to repair and maintain harbor facilities, while considering impacts to sensitive species.

BOATING SAFETY Education Enforcement	Waterfront	Support boating safety, including education and enforcement or regulation of boating practices, vessel types and equipment.	
		Support legislation implementing a boater-safety certification program.	
		Support public boating safety and enforcement efforts through funding of equipment, training and other resources utilized by Harbor Patrol Officers.	
ENFORCEMENTPublic SafetyHomeland Security	Waterfront	Support legislation that promotes public safety and law enforcement efforts in or near California ports and harbors through funding resources.	
		Support Homeland Security legislation, programs and/or grants that benefit and protect small ports and harbors.	
EDUCATION	Waterfront	Support programs that utilize the California Department of Boating and Waterways as an educational vehicle for non-regulatory boating and harbor_management programs.	

COMMUNITY SERVICE	CES		
SCOPE		Issues related to childcare, parks and recreation, libraries, cultural arts, and community and human services programs.	
PARKS FUNDING Programs Community Park Land	Parks and Recreation	Support full federal funding for the Forest Service's Urban and Community Forestry Program, the Land and Water Conservation Fund, and the Urban Parks and Recreation Recovery Program.	
PartnershipsCoastal Access		Support legislation that promotes the acquisition, development or redevelopment of park land to meet community park and recreation needs.	
		Support regional multi-agency open space acquisition initiatives.	
		Support the continuation of funding for Coastal Access Projects.	
ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES	Parks and Recreation and Community Development	Support the continued state and federal funding for local arts activities and historic preservation. [DUPLICATE LANGUAGE IN COMMUNITY AND ECONOMIC DEVELOPMENT SECTION]	
HEALTH FACILITIES		Support an increase in the number of hospice beds allowed in the County for persons who are terminally ill or diagnosed with a life-threatening illness.	
CHILD CARE • Child Care Parks and Recreation		Support the creation of more affordable, innovative, and quality local child care options for parents and concurrently encourage adherence to strict regulations and guidelines.	
		Support legislation that encourages child care facilities throughout the community.	
		Support state and federal efforts to provide high quality, safe, and affordable childcare for all who need it.	

CHILDREN/YOUTH

- Job Training
- Prenatal Care
- Youth Program
- Foster Care
- Federal Grants
- After School
- Equal Access
- Parks and Recreation Facilities
- Educational Programs
- Library funding
- Health Care

Parks and Recreation/

Police/ Community/

Development/ Library **Support** state and federal funding for school-based job training programs in order to produce more job placement opportunities and collaborations with municipal services.

Support increased state and federal funding for prenatal care, early health care, preschool, and childcare programs to ensure healthy children and school readiness.

Support increased funding for foster care.

Support creation of permanent state or federal funding sources for youth programs.

Support federal reauthorization and full funding of the Individuals with Disabilities Education Act (IDEA), the Child Care and Development Block Grant, and the Temporary Assistance to Needy Families (TANF) block grant, including after-school recreation and tutoring programs.

Support formation of a President's national youth cabinet to create a comprehensive national policy for children.

Support increased state and federal funding for affordable after-school programs and programs that promote and enhance physical fitness and well-being of children and youth.

Support legislation that would provide state and federal funding for increased access for children with disabilities to after-school and other recreation programs, including required staff support related to medications, mobility, and activity integration.

Support legislation that would provide state and federal funding for the development and operation of park and recreation facilities that serve underprivileged children, families, and older adults and which promote and enhance physical health and well-being of children, youth, adults and seniors.

Support legislation providing state and federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials.

Oppose legislation or administrative efforts to decrease the state's budgets for First 5 and K through 12 programs that support children and families.

Support the concept of universal health care for all Californians.

Support incentives to improve coordination of public health considerations with community land use planning.

STATE NATURAL AREA AND PARK BOND FUNDS • Eligibility • Distribution • Release	Parks and Recreation	Oppose tying local eligibility for park bond grant funds to non-park related issues, such as rent control or housing element status. Statewide park bond measures should include a component that provides per capita grants to cities and counties. Monitor quarterly state actions regarding distribution or hold-up of allocated bond funds and other state funding sources related to Creeks Program and park capital projects. Work with League of California Cities to Support efforts to assure bond funds are not held for other state funding needs.
PUBLIC LIBRARIES Funding Computers State Public Library FoundationFund Privacy Rights	Library	Support full funding of the State Public Library Foundation Funds that the state's full share of funding is provided to the program, understanding how libraries play an integral role in building and sustaining our communities. Oppose elimination or further reduction of the State Public Library Fund or other sources of library funding. Support legislation providing federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials. Support federal funding for telecommunications equipment and services in public libraries in order-to provide equal access to information to-for all residents; oppose requirements on use of federal funds for Internet access services for adults that mandate installation of filtering software. Support efforts to maintain and restore the State Public Library Foundation. Oppose reductions of funding for library services. Oppose any further reduction of the State Public Library Foundation. Oppose legislation that requires public libraries to install and maintain computer-filtering software for use on computers in the library that, in an attempt to block obscene materials, also prevents access to material protected by the First Amendment. Oppose legislation, regulations, and guidelines that erode privacy, information access and Constitutional rights, and oppose the use of governmental authority to suppress the free and open exchange of information and ideas.

SENIORS	Parks and Recreation	Support efforts to develop and improve intergenerational recreation programs and activities that include seniors.	
		Support legislation that would provide funding for side-by-side day care facilities for California's youth, adults, and seniors.	
		Support legislation that facilitates development of senior residential and day care facilities integrated within the community-at-large.	
		Support funding for wellness, physical activity, and recreational programs, and day care for seniors on low or fixed incomes.	
		Support funding for senior daycare facilities and programs.	
NATURAL RESOURCE PROTECTION	Parks and Recreation	Support legislation that fosters protection and restoration of natural resources, including streams, stream and riparian habitat, wetlands, estuaries, rural and urban open space, etc.	
		Support legislation that provides local agencies with matching grants and/or technical support from the California Natural Resources Agency or other state agencies to revise and implement new resource protection policies and programs.	
PARKS AND YOUTH EDUCATION	Parks and Recreation	Support legislation that establishes new grants or expands the scope of existing grants (currently limited to urbanized areas with populations over 100,000) for which the City would be eligible for park development, park improvement, and youth recreation programs.	
PROPOSITION 40/50/84/1E Parks and Recreation		Support legislation that distributes bond funds as competitive monies to a range of State agencies and does not limit funds based on geographic location or scope of need.	
		Support legislation that allows grantees an opportunity to receive grant funds for project design and permitting, in addition to construction, and also provides a mechanism to extend completion schedules.	

Agenda	Item	Nο
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File Code No. 620.03



CITY OF SANTA BARBARA

JOINT COUNCIL AND REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

Agency Chair and Boardmembers

FROM: Housing and Redevelopment Division, Community Development

Department

SUBJECT: Resolutions Approving The Transfer Of All Real Property Of The

Redevelopment Agency of the City of Santa Barbara To The City Of

Santa Barbara

RECOMMENDATIONS:

A. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Approving the Transfer of All Interests in Real Property, Including All Leaseholds and Easements, Owned by the Redevelopment Agency of the City of Santa Barbara to the City of Santa Barbara to Implement the Provisions Set Forth in the Multi-Year Cooperation Agreement and the Redevelopment Plan for the Central City Redevelopment Project Area; and

B. That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting Title to All Interests in Real Property, Including Leaseholds and Easements, Owned by the Redevelopment Agency of the City of Santa Barbara, as Legally Described in Exhibit A Attached Hereto, and Authorizing the Recordation of the Grant Deed in the Official Records, in the Office of the County Recorder, County of Santa Barbara, State of California, to Implement the Provisions Set Forth in the Multi-Year Cooperation Agreement and the Redevelopment Plan for the Central City Redevelopment Project Area.

EXECUTIVE SUMMARY:

The California Redevelopment Law ("CRL"), as well as the Redevelopment Plan for the Central City Redevelopment Project Area, authorize the Redevelopment Agency of the City of Santa Barbara (Agency) to acquire real property for redevelopment purposes. Accordingly, the Agency acquired real property much of which was owned by the City of Santa Barbara at the time and some of which was owned by private land owners. The Agency's Central City Redevelopment Project Area ("CCRP"), by its terms, will expire in August 2015. It was anticipated that as the expiration of the CCRP approached, the real property owned by the Agency would be transferred to the City so that the City could complete the redevelopment projects contemplated in the Redevelopment Plan and provide for the continued use and maintenance of the property in future years.

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The resolutions before the Agency Board and City Council today provide for the transfer of all Agency-owned real property to the City. After the transfer, and until 2015 when the CCRP expires, there will be no noticeable difference in how the Agency operates or achieves its goals. Future use and management of the properties will continue to follow the existing practices of the Redevelopment Agency as defined by the Redevelopment Agency Board and governed by California Redevelopment Law.

BACKGROUND:

Originally formed in 1972 and activated in 1977, the CCRP is scheduled to expire in August of 2015. The Agency has received more than \$275 million in tax increment revenue from its inception through Fiscal Year 2010. These funds have been used to pursue redevelopment efforts in the CCRP and affordable housing activities in the City.

Redevelopment-related projects have been focused on blight removal and the elimination of the influences that lead to blight. Many projects required that land owned by the City or private landholders be acquired by the Agency and reconfigured to allow for its redevelopment in accordance with the goals of the Redevelopment Agency. Prominent Agency-funded projects for which Agency land acquisition was required, include: Paseo Nuevo mall, Chase Palm Park Expansion, the restoration of the Rail Road Depot (now on the National Register of Historic Places), the Granada Garage and numerous other downtown parking structures. Affordable housing projects have included the Mental Health Association facility and St. Vincent's family and senior residential units.

2003 Multi-Year Cooperation Agreement: On December 16, 2003, the City Council adopted Ordinance No. 5301 approving a Multi-Year Cooperation Agreement between the City and the Agency. The Multi-Year Cooperation Agreement memorializes the contractual obligation of the City to undertake all redevelopment activities in the Project Area on behalf of the Agency and the Agency to reimburse the City for those expenditures from tax increment funds. The Multi-Year Cooperation Agreement creates an Agency debt that must be paid by the Agency to the City from the tax increment proceeds received by the Agency until the Agency reaches its tax increment cap or the year 2025, whichever occurs first. The Multi-Year Cooperation Agreement includes projects and programs for which Agency funds have been appropriated in annual budgets but have not been completed, including generally-anticipated new projects, projects as identified in the Implementation Plan, and programs that will be further defined by both parties over the period of the Multi-Year Cooperation Agreement. Also included are administrative and other costs which the Agency must reimburse the City for carrying-out the Agency projects.

DISCUSSION:

The proposed actions on today's agenda have been anticipated to occur prior to the expiration of the CCRP in August 2015. Staff is recommending that the City Council and Agency Board adopt the resolutions in an effort to implement the provisions of the Multi-Year Cooperation Agreement and to provide for the continuing use and maintenance of the many capital projects and affordable housing projects funded with Agency tax increment proceeds. In accordance with the CRL, and as provided in Section 420 et.

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seq. of the Redevelopment Plan, in order to accomplish the goals and objectives of the Plan, it is appropriate to transfer all of the Agency property to the City. The proposed actions before the Council and Redevelopment Agency Board will allow the City and the Agency to provide appropriate project management and prudent fiscal management of the land currently held by the Agency.

Land Transfer: The Agency owns approximately 35.5 acres of real property in the Central City Redevelopment Project Area (Attachment: Agency-Owned Property). Land currently owned by the Agency was acquired primarily from the City to effectuate redevelopment projects and programs. One such project was the Paseo Nuevo Mall which is comprised of Agency-owned land that was originally acquired from the City as well as private land holders. The Agency took title to all of the land underlying the Mall and parking structures. Once title was held by the Agency, it was able to redefine the parcels and work with a developer to develop the Mall and enter into long-term agreements for the operation of the Mall and the public parking structures. It was anticipated that at a future date the property would be transferred back to the City.

Similarly, it has been expected that upon completion of the other redevelopment projects and programs, the property would be transferred to City ownership. The transfer of the Agency property to the City will help to carry out the goals and purposes of the Multi-Year Cooperation Agreement, accomplish and achieve the purposes of the Redevelopment Plan for the Project Area, sustain the redevelopment accomplished by the implementation of the Plan, expand and improve the City's supply of affordable housing, and enforce existing covenants, contracts and other obligations arising from the redevelopment projects.

Pursuant to Section 15061(b)(3) of the State California Environmental Quality Act ("CEQA") Guidelines, the transfer of real property is exempt from environmental review under CEQA because it can be seen with certainty that there is no possibility that the transfer may have a significant effect on the environment; and pursuant to Section 15301 of the State CEQA Guidelines, the transfer of real property is exempt from environmental review under CEQA because the transfer will result in a continuation of existing facilities involving no expansion of use, and any future development for the real property will require separate environmental review. In order to effectuate the transfers the appropriate legal processes will be pursued and accomplished by Agency and City staff.

BUDGET/FINANCIAL INFORMATION:

There is no anticipated budget or financial impact associated with the proposed actions as Agency-owned land is currently maintained and managed by City staff.

Joint Council And Redevelopment Agency Agenda Report Resolutions Approving The Transfer Of All Real Property Of The Redevelopment Agency of the City Of Santa Barbara To The City Of Santa Barbara June 7, 2011 Page 4

ATTACHMENT: Agency-Owned Properties

PREPARED BY: Brian J. Bosse, Housing and Redevelopment Manager/MEA

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

Property of the Redevelopment Agency of the City of Santa Barbara June 2011

Properties	County	County Assessor Parcel Number(s)		
Waterfront Properties	017-113-029 017-113-030	017-113-034 017-113-035		2.41
Chase Palm Park Expansion	017-680-004 017-680-011	017-680-012		8.21
Ortega Water Treatment Facility	031-152-033			1.00
Railroad Depot	033-010-011 033-010-012 033-010-013 033-010-014 033-010-015 033-041-012 033-041-013 033-042-001 033-042-002 033-042-002	033-042-004 033-042-012 033-042-014 033-042-015 033-042-017 033-042-019 033-075-012 033-075-014 033-075-015		5.39
Parking Lots	031-151-018 033-051-020 033-113-014 033-113-016 033-113-017 033-113-022 033-113-022 033-113-023 037-132-035	037-132-038 037-173-047 037-173-049 037-173-050 037-252-011 039-183-046 039-183-053 039-183-054 039-261-009 039-321-045	039-321-047 039-321-048 039-321-051 039-321-054 039-321-055 039-321-056	12.23
Paseo Nuevo	037-400-001 037-400-002 037-400-003 037-400-004	037-400-005 037-400-006 037-400-019		6.29
Bath Street Properties	037-113-009 037-113-010			0.06
			Total acreage:	35.59

RESOLUTION NO.____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA APPROVING THE TRANSFER OF ALL INTERESTS IN REAL PROPERTY, INCLUDING ALL LEASEHOLDS AND EASEMENTS, OWNED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA TO THE CITY OF SANTA BARBARA TO IMPLEMENT THE PROVISIONS SET FORTH IN THE MULTI-YEAR COOPERATION AGREEMENT AND THE REDEVELOPMENT PLAN FOR THE CENTRAL CITY REDEVELOPMENT PROJECT AREA.

WHEREAS, the Redevelopment Agency of the City of Santa Barbara ("Agency") was created to pursue activities in the Central City Redevelopment Project Area ("Project Area") of the City of Santa Barbara which eliminate blight and enhance the physical and economic health of the Project Area. The Redevelopment Plan for the Project Area was adopted November 14, 1972 by the City Council of the City of Santa Barbara ("City") by City Council Ordinance No. 3566. In August 1977, the First Amended Redevelopment Plan for the Santa Barbara Central City Redevelopment Project was adopted by City Council Ordinance No. 3923. The Plan was further amended on December 16, 1986, by Ordinance No. 4438 to incorporate provisions required by amendments to the California Community Redevelopment Law ("CRL"). As required by the CRL Reform Act of 1993, the Redevelopment Plan for the Project Area was further amended by City Ordinance No. 4894 on December 6, 1994, to specify the latest dates for incurring and repaying indebtedness or receipt of tax increment. On November 12, 1998, City Ordinance No. 5085 was adopted to extend the Redevelopment Agency's authority to exercise eminent domain to August 30, 2007. The Plan was further amended by City Council Ordinance No. 5089 adopted January 12, 1999, City Ordinance No. 5314 adopted on April 27, 2004, City Ordinance No. 5363 adopted June 14, 2005, and City Ordinance No. 5388 adopted June 6, 2006 ("Redevelopment Plan");

WHEREAS, In accordance with the CRL and the Redevelopment Plan, the Agency may not incur additional indebtedness after December 31, 2003, and the Project Area will expire on August 30, 2015;

WHEREAS, on December 16, 2003, in accordance with Section 407 of the Redevelopment Plan and Section 33220 et seq. of the CRL, the City Council adopted Ordinance No. 5301 approving an Agreement for Public Improvement, Public Transportation and Administrative and Other Services Between the Agency and the City ("Multi-Year Cooperation Agreement") in which the City is obligated to fund and to undertake all activities to redevelop, revitalize and eliminate blight in the Project Area on behalf of the Agency and the Agency is obligated to reimburse the City for all funds expended by the City to carry out the activities contemplated therein;

WHEREAS, pursuant to the Multi-Year Cooperation Agreement, the Agency is obligated to reimburse the City with currently available and future tax increment funds received by the Agency pursuant to Health & Safety Code section 33670;

WHEREAS, in accordance with the CRL Section 33342, and as authorized by Section 402 of the Redevelopment Plan, the Agency acquired, for redevelopment purposes, the interests in real property described in detail in the attached Exhibit A, incorporated herein by this reference as though set forth in full, and generally described as follows:

- Waterfront Properties encompassing 2.41 acres and located generally northeasterly of Calle Cesar Chavez, southwesterly of Quarantina Street, and northwesterly of the operating right of way owned by the Union Pacific Railroad Company (Assessor's Parcel Numbers APN 017-113-029, -030, -034 and -035). The Waterfront Properties were acquired by the Agency for the purpose of future implementation of redevelopment activities and projects including a possible community arts center, extension of Cacique Street from Quarantina Street to Calle Cesar Chavez, remote parking for the Cacique Street homeless facility (Casa Esperanza) Fiesta Parade float storage, recreation and social services. The property acquisition was intended to encourage private redevelopment of the surrounding area and further the elimination of blight.
- <u>Chase Palm Park Expansion Properties</u> encompassing 8.21 acres and including:

<u>Chase Palm Park Garden Street Access Parcel</u> located generally northerly of Cabrillo Boulevard, easterly of Garden Street, and southeasterly of the operating right of way owned by the Union Pacific Railroad Company, (APN 017-680-004);

<u>Chase Palm Park Parkland Parcel, Portions North of Cabrillo Boulevard,</u> located northerly of Cabrillo Boulevard, easterly of Garden Street, and southeasterly of the operating right of way owned by the Union Pacific Railroad Company, (APNs 017-680-011 and -012).

In July 1981, the City adopted the original Park Plaza Specific Plan for the property located at 325 East Cabrillo Boulevard – property which was subsequently developed, in part, as the Fess Parker Red Lion Inn (now the Fess Parker Double Tree Hotel). The Specific Plan was later amended to also provide for the development of a public/private project to be jointly developed by the Agency and a Fess Parker Family entity known as American Traditions, acting as a hotel developer. The subsequent development and "public-private" partnership consisted of a City Development Agreement approving the future construction of a 150-room luxury hotel and an adjacent approximately 10 acres City park together with the required public parking for the park. The 10-acre park portion of the public private partnership consisted of 5 acres of City owned property along Cabrillo Boulevard (at Santa Barbara Street) and 5 acres of real property owned by the Parker Family. As a condition of approval for the luxury

hotel on the 3 acres adjacent to the park and retained by the Parker Family, the Parker Family was required to construct and operate a 100-bed youth hostel at a location approved by the City.

The Agency merely facilitated the merger and re-subdivision of the two real properties (the City parcel and the Parker Family parcel) into three parcels as necessary to effectively provide for the development as contemplated in the Specific Plan and the Chase Palm Park and Hotel Development Agreement between the City and the Parker Family. After the subdivision, the site consisted of three parcels know as the Hotel Parcel, the Deed Parcel and the City Parcel. At completion of the development of the Chase Palm Park Expansion project in 1998, the 3-acre Hotel Parcel owned by the Parker Family would be developed with the hotel and the Deed Parcel and City Parcel would be combined and become an expanded portion of the City's Chase Palm Park.

In order to effectuate the Specific Plan and the Development Agreement as described above, the City and Agency entered into a Cooperation Agreement. In the Cooperation Agreement, the City agreed to (i) abandon and convey certain public rights of way including portions of Carpinteria Street, Mason Street and Santa Barbara Street to the Agency, (ii) convey the City Parcel to the Agency, and (iii) cooperate and coordinate with the Agency for the Agency's acquisition of other real property to enable the Agency and the hotel developer to assemble the component real properties into the site for development of the site as a public park and luxury hotel.

The City also agreed to construct, operate and maintain the necessary off-site public parking for public use of the park and to construct traffic and related street infrastructure improvements as required for the development.

At this time, the Park is fully constructed and operational and, as contemplated in the Plan, should be conveyed to the City for future operation and maintenance. Both the hotel and hostel are under construction.

Ortega Water Treatment Facility encompassing 1 acre located southeasterly of Ortega Street and southwesterly of Garden Street (APN 031-152-033), and which property had been owned by the City for decades (and originally acquired by the City using City Water Division funds) was temporarily conveyed by the City to the Agency in order to provide for the merger and subdivision and subsequent transfer of a portion of the property to Mental Health Association of Santa Barbara County (MHA) so that the MHA could construct a major very low and low income affordable housing Project, utilizing, in part, Agency Housing Set-Aside funds. MHA developed a mixed-use affordable housing project on the consolidated property which MHA had purchased adjacent to the City Ortega Water Treatment Facility property. The MHA development consisted of 51 low and moderate income housing units of which 38 are dedicated to serve mental health clients. The portions of the former City property remaining under the Agency's ownership were intended to be merged and consolidated and

conveyed by the Agency back to the City of Santa Barbara for its continuing operation and management of the Ortega Water Treatment Facility and other uses that effectuate redevelopment purposes and, in accordance with the fact that this real property was originally acquired by the City using City Water funds.

Railroad Depot encompassing 5.39 acres and including:

Santa Barbara Railroad Depot encompassing portions of the operating rights of way of Union Pacific Railroad Company, located southeasterly of Montecito Street and southwesterly of State Street, (APNs 033-010-011, -012 and -013, 033-041-013, 033-042-012, -016 and -017, 033-075-012; acquired by the Redevelopment Agency in June 1995 from a private property owner pursuant to State Rail bond funds approved by voter initiative. This acquisition of the Depot property allowed for the consolidation of the Depot property with adjacent property owned by the City (at Chapala Street) which City property was to be conveyed to the Agency by the City in order for the Agency to provide consolidation of the Depot real property for the purposes of the restoration of the Historic Railroad Depot. The state issued a grant to the Agency/City of state Railroad bond funds for the express purpose of having the historic Depot transferred into public ownership by the City of Santa Barbara.

Railroad Depot, Vacated Streets encompassing those certain parcels of real property underlying those vacated portions of Chapala Street and Yanonali Street, and being adjacent to the operating rights of way of Union Pacific Railroad Company, located southeasterly of Montecito Street and southwesterly of State Street, (APNs 033-010-014 and -015, 033-041-012, 033-042-014 and 015, 033-075-014. The City conveyed the vacated streets to the Agency based upon a finding that the parcels were integral and necessary for the Agency's redevelopment of the railroad depot.

Railroad Depot, Montecito Street, Area 1: APNs 033-042-001 (former 35 W. Montecito Street) and -002 (former 29 W. Montecito Street);

Railroad Depot, Montecito Street, Area 2: APNs 033-042-003 (former 25 W. Montecito Street) and -004 (former 23 W. Montecito Street);

Railroad Depot Parking Lot (235 State Street Public Parking Lot) located southwesterly of State Street and southeasterly of Montecito Street (APN 033-042-019). The property was acquired as excess property by the Agency from the State Department of Transportation which had previously acquired it to complete the State's "Cross-town Freeway Project." The Agency determined that the acquisition and improvement of the property was of benefit to the Central City Redevelopment Project area and would assist in the elimination of blight within the project area by improving the site and achieving the restoration of the Historic Railroad Depot.

All of the Railroad Depot property was also acquired under the State Rail Bond approval for the purpose of providing a regional transportation center, with increased parking and other public services as necessary to eliminate blight and the conditions which foster blight.

Parking Lots encompassing approximately 12.23 acres and including:

<u>Cota Street Commuter Parking Lot</u> (APN 031-151-018) located northwesterly of Cota Street and southwesterly of Santa Barbara Street, was an opportunity acquisition from the Santa Barbara School Districts and was acquired for the purpose of providing enhanced downtown parking opportunities for downtown commuters.

217 Helena Street Parking Lot (APN 033-051-020) an unimproved property acquired by the Redevelopment Agency as an Opportunity Acquisition with the intent of developing the site for: 1) a public parking lot to address the deficit of parking within the waterfront area, the lack of which had been frequently cited as an impediment to economically viable private redevelopment and removal of blight in the Lower State Street area; or 2) a youth hostel required as part of the Waterfront Park and Hotel project (also known as the "Chase Palm Park Expansion Project"). The parking lot design has been deemed complete by the local design review body and a construction contract is scheduled for approval in June 2011.

Mason Street and Santa Barbara Street Public Parking Lot located southeasterly of Mason Street and northerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-014 and sometimes APN 033-113-022) acquired by the Agency for redevelopment purposes and in support of the City's operation of the Regional Transportation Center at the Railroad Depot.

Garden Street and Cabrillo Boulevard Public Parking Lot located westerly of Garden Street, northwesterly of Cabrillo Boulevard and southerly of the operating right of way owned by the Union Pacific Railroad Company, (APN 033-113-016, -017 and -018, and sometimes APN 033-113-023); conveyed from the City, as former City street right-of-way, to the Agency for the purpose of optimizing the development of the Chase Palm Park Expansion property, for inclusion in the Garden Street Public Parking Lot development as part of the larger Chase Palm Park Expansion project.

Parking Structure No. 10 at Ortega Street and Anacapa Street located southwesterly of Anacapa Street and southeasterly of Ortega Street (APN 037-132-035, -036 and -038); this real property was acquired in the late 1970s and early 1980s by the City of Santa Barbara using assessment district funds obtained by the levying of assessment against the real properties within the City's Central Business District for the purposes of acquiring public retail parking to serve the Central Business District. This

property was transferred to the Agency as part of the City's approval of the Agency's Paseo Nuevo project in 1987 in order to allow the Agency to construct a multi-level parking structure on the former City owned real property.

<u>Parking Lot No. 11 at State Street (West Paseo)</u> located northeasterly of State Street (APN 037-173-047);

<u>Parking Lot No. 11 at Cota Street (North Paseo)</u> located southeasterly of Cota Street (APN 037-173-049);

<u>Parking Lot No. 11</u> located southwesterly of Anacapa Street and northwesterly of Haley Street (APN 037-173-050);

Parking Lot No. 11 parcels were acquired by the Agency in 1984 for the purpose of constructing a public parking lot on the east side of the 500 block of State Street within the Project Area pursuant to the Redevelopment Plan in order provide a public parking lot. The public interest and necessity required the construction of a public parking lot in order to promote the redevelopment of a blighted area. The parking lot was planned and located in a manner that was the most compatible with the greatest public good and the least private injury.

<u>Parking Lot No. 12</u> located southwesterly of State Street, northwesterly of U.S. Highway 101, northeasterly of Motor Way, and southeasterly of Gutierrez Street (APN 037-252-011); acquired by the Agency for public parking purposes as contemplated in the Plan in order to eliminate blight and foster commercial revitalization.

Granada Garage (Parking Lot No. 6) located southwesterly of Anacapa Street and northwesterly of Anapamu Street (APNs 039-183-046, -053 and -054) which was real property entirely owned by the City since the 1970s when it was acquired as part of the City's Central Business District's parking assessment district. The real property which formed the land underneath the Granada Garage was acquired by the Agency from the City in order to assist the City in creating a downtown theater district by providing additional public parking. A portion of the property was utilized for the development of low and moderate income residential rental units. The Agency acquired this property with the understanding that it would be transferred back to the City upon the completion of the Granada Garage parking structure.

<u>Carrillo Street Commuter Parking Lot</u> located northwesterly of Carrillo Street and southwesterly of Castillo Street (APN 039-261-009) acquired for the purpose of providing downtown public parking needed to stimulate economic development.

Parking Lot No. 2 located northeasterly of Chapala Street and northwesterly of Canon Perdido Street (APNs 039-321-045, -047, -048, -051, -054, -055

and -056) acquired for the purpose of providing downtown public parking needed to eliminate blight and stimulate economic development. This real property was acquired in the late 1970s and early 1980s by the City of Santa Barbara using assessment district funds obtained by the levying of assessment against the real properties within the City's Central Business District for the purposes of acquiring public retail parking to serve the Central Business District. This property was transferred to the Agency as part of the City's approval of the Agency's Paseo Nuevo project in 1987 in order to allow the Agency to construct a multi-level parking structure on the former City owned real property which is now referred to a Lot No. 2.

All of the Parking Lot property was acquired for the purpose of providing public parking for downtown customers, commuters, and visitors to support economic vitality in the Project Area.

- Paseo Nuevo Retail Center Properties encompassing 6.29 acres, bounded by Canon Perdido Street, State Street, Ortega Street and Chapala Street (APN 037-400-001, -002, -003, -004, -005, -006 and -019) acquired by the Agency pursuant to a Disposition and Development Agreement. The purpose of the Agreement was to effectuate the Redevelopment Plan by implementing the "Santa Barbara Retail Revitalization Project" within the Project Area. Implementation of the Project required the acquisition and assemblage of seven parcels by the Agency. Additionally, two parcels (the City Lot No. 1 parcel and the City De La Guerra Street parcel) owned by the City for decades were incorporated into the Paseo Nuevo Project including one located in the public right-of-way, which was vacated by the City and acquired by the Agency, and one retained by the City but restricted for pedestrian use only. Once the property was acquired and assembled by Agency, it was conveyed through leaseholds to the retail developer for construction of a major retail center consisting of a mall component, pedestrian and paseo areas, an arts complex, on-site parking facilities, and department stores. The City's Parking Lot No. 1 parcel was originally acquired by the City as part of the City's Central Business District parking assessment district utilizing assessment funds paid by the CBD property owners. The City Parking Lot No. 1 parcel comprised approximately 50% of the real property which was eventually incorporated into the Paseo Nuevo mall project.
- <u>Bath Street Properties at Mission Creek</u> encompassing .06 of one acre and including:
 - 635 Bath Street located southwesterly of Bath Street and southeasterly of Ortega Street (APN 037-113-009); and
 - <u>633 Bath Street</u> located southwesterly of Bath Street and southeasterly of Ortega Street (APN 037-113-010).

Both residential properties were acquired for the purpose of furthering the City and Agency priorities set forth in the Mission Creek Flood Control Enhancements Project and the West Downtown Neighborhood Improvement Program. The properties are contiguous and adjacent to Mission Creek which make them desirable for subsequent conversion to a West Downtown neighborhood park that would also serve as open space adjacent to Mission Creek.

All such real property described above is hereinafter referred to as the "Agency Property";

WHEREAS, in accordance with CRL section 33430, and as specifically provided in Section 420 et seq. of the Redevelopment Plan, the Agency finds that in order to accomplish the goals and objectives of the Redevelopment Plan and to complete the redevelopment projects contemplated in the Multi-Year Cooperation Agreement, it is necessary and appropriate to transfer all Agency Property to the City;

WHEREAS, pursuant to Section 15061(b)(3) of the State California Environmental Quality Act ("CEQA") Guidelines, the transfer of real property is exempt from environmental review under CEQA because it can be seen with certainty that there is no possibility that the transfer may have a significant effect on the environment and pursuant to Section 15301 of the State CEQA Guidelines, the transfer of real property is exempt from environmental review under CEQA because the transfer will result in a continuation of existing facilities involving no expansion of use, and any future development for the real property will require separate environmental review; and

WHEREAS, the transfer of the Agency Property to the City will (i) carry out the goals and purposes of the Multi-Year Cooperation Agreement, (ii) accomplish and achieve the purposes of the Redevelopment Plan for the Project Area, (iii) sustain the redevelopment accomplished by the implementation of the Plan, (iv) expand and improve the City's supply of affordable housing and, (v) enforce existing covenants, contracts and other obligations arising from the redevelopment projects.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, AS FOLLOWS:

SECTION 1. The above recitations are true and correct.

SECTION 2. Because the Agency Property, which was acquired by the Agency from the City, and the Agency Property which was acquired by the Agency from private land owners, was generally acquired by the Agency for the temporary purpose of parcel consolidation and assemblage and redevelopment purposes pursuant to public-private partnerships which have now been accomplished, the Agency hereby authorizes and directs the transfer of all Agency Property, as generally described above and in more detail in Exhibit A, to the City for use by the City for public purposes consistent with the manner in which these properties were originally acquired by the City and otherwise and consistent with the previously approved Multi-Year Cooperation Agreement and the

Redevelopment Plan to facilitate and achieve the ongoing efforts to redevelop, revitalize and eliminate blight in the Project Area.

SECTION 3. The Executive Director, subject to approval by Agency Counsel, is authorized to execute any and all deeds and other documents as necessary to transfer said Agency Property to the City in accordance herewith.

SECTION 4. The Redevelopment Agency of the City of Santa Barbara, a body politic, hereby transfers all of its title and interest in the real property located within the City Limits of the City of Santa Barbara and as identified herein by the properties' common names or facilities and referred to by their respective Santa Barbara County Assessor's Parcel Numbers, and as more particularly described in Exhibit A attached hereto and incorporated herein by this reference to the City of Santa Barbara.

DESCRIPTION

"Agency Property"

Waterfront Properties

Those certain tracts of real property located within Block 344 and Block 345, in the City of Santa Barbara, County of

Santa Barbara, State of California, according to the Official Map thereof, and that vacated portion of Salsipuedes

Street lying between said Blocks 344 and 345, and that vacated portion of Cacique Street lying between Blocks 344

and 353, described as follows:

Waterfront Parcel - Northwesterly Portion Fronting Calle Cesar Chavez:

Those portions of Block 344, Block 345, and a portion of Salsipuedes Street, sixty (60.00) feet wide (now

abandoned) in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official

Map thereof, being that tract of land described as Parcel One in the Grant Deed to the Redevelopment Agency of

the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said

County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line

parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of

Quarantina Street, sixty (60.00) feet wide; thence, along said parallel line South 47°38'08" East, 664.00 feet

to the True Point of Beginning; thence 1st, continuing along said parallel line South 47°38'08" East,

115.00 feet; thence 2nd, leaving said parallel line South 65°35'34" West, 297.85 feet to a point on the

Northeasterly line and 13th course of Parcel 11 described in the deed to American Tradition recorded May 27.

1998, as Instrument No. 98-037738 of Official Records of said County, said point being the beginning of a

non-tangent curve, concave Southwesterly, and having a radius of 600.00 feet, the radial center of which

bears South 65°35'34" West; thence 3rd, Northwesterly along said curve and Northeasterly line, through a

central angle of 7°03'59", an arc distance of 74.00 feet to a line passing through the True Point of Beginning,

said line having a bearing of South 58°35'31" West relative to the 1st course described herein; thence 4th,

along said line North 58°31'35" East, 259.02 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-029.

Waterfront Parcel – Southeasterly Portion Fronting Calle Cesar Chavez:

Those portions of Block 344, Block 345, and a portion of Salsipuedes Street, sixty (60.00) feet wide (now abandoned), in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Two in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence, along said parallel line South 47°38′08″ East, 779.00 feet to the True Point of Beginning; thence 1st, continuing along said parallel line South 47°38′08″ East, 132.28 feet to a line parallel with and distant Northerly 91.00 feet, measured at right angles, from the Northerly line of the parcel described in the deed to Southern Pacific Company recorded in the Office of the County Recorder of said County on July 20, 1971, in Book 2356, Page 45 of Official Records; thence 2nd, along said parallel line South 72°07′43″ West, 357.82 feet to a point on the Northeasterly line and 13th course of Parcel 11 described in the deed to American Tradition recorded May 27, 1998, as Instrument No. 98-037738 of Official Records of said County, said point being the beginning of a non-tangent curve, concave Southwesterly, and having a radius of 600.00 feet, the radial center of which bears South 73°20′06″ West; thence 3rd, Northwesterly along said curve and Northeasterly line, through a central angle of 7°44′32″, an arc distance of 81.08 feet to a line passing through the True Point of Beginning, said line having a bearing of South 65°35′34″ West relative to the 1st course described herein; thence 4th, along said line North 65°35′34″ East, 297.85 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-030.

Waterfront Parcel – Northwesterly Portion Fronting Quarantina Street:

That portion of Block 344, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Three in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695,

of Official Records of said County of Santa Barbara, particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence along said parallel line South 47°38'08" East, 779.00 feet to the True Point of Beginning; thence 1st, at right angles to said parallel line, North 42°21'52" East, 257.00 feet to said Southwesterly line of Quarantina Street; thence 2nd, along the Southwesterly line of Quarantina Street South 47°38'08" East, 115.00 feet; thence 3rd, at right angles to said Southwesterly line of Quarantina Street South 42°21'52" West, 257.00 feet to said parallel line; thence 4th, along said parallel line North 47°38'08" West, 115.00 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-034.

Waterfront Parcel - Southeasterly Portion Fronting Quarantina Street:

Those portions of Block 344 and Cacique Street, sixty (60.00) feet wide (now abandoned), in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Four in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said County of Santa Barbara, particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence along said parallel line South 47°38'08" East, 894.00 feet to the True Point of Beginning; thence 1st, at right angles to said parallel line North 42°21'52" West, 257.00 feet to said Southwesterly line of Quarantina Street; thence 2nd, along the Southwesterly line of Quarantina Street South 47°38'08" East, 164.25 feet to a line parallel with and distant Northerly 91.00 feet, measured at right angles, from the Northerly line of the parcel described in the deed to Southern Pacific Company recorded in the Office of the County Recorder of said County on July 20, 1971, in Book 2356, Page 45 of Official Records; thence 3rd, along said parallel line South 72°07'43" West, 296.06 feet to the Southerly prolongation of said parallel line distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence 4th, along said parallel line North 47°38'08" West, 17.28

feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-035.

Chase Palm Park Expansion Properties

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

Chase Palm Park Expansion - Garden Street Access Parcel:

That certain portion of Block 320, and that portion of Quinientos Street (closed), and that portion of Block 336½ in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of real property described as Parcel One in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on October 10, 1996, as Instrument No. 96-061814, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the northeasterly line of Santa Barbara Street with a line parallel with and distant 50.00 feet northwesterly, measured at right angles, from the centerline of the westbound main track (Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company, as successor of Southern Pacific Company, as shown on map of survey filed in Book 116, Pages 11 through 16, inclusive, of Record of Surveys in the Office of the County Recorder of said County; thence N. 71°12'17" E., along said parallel line, a distance of 209.30 feet to the beginning of a non-tangent curve, concave easterly, the radial center of which bears N. 76°44'43" E., a distance of 248.00 feet; thence southeasterly along the arc of said curve through a central angle of 5°32'26", an arc length of 23.98 feet; thence S. 18°47'43" E., a distance of 92.06 feet to the intersection with the northerly line of the tract of land described in the Deed to the City of Santa Barbara recorded January 11, 1977, as Reel No. 77-1510 of Official Records of said County, being the True Point of Beginning, said land being shown together with other land on a Map of Survey filed in Book 114, Page 22 of Record of Surveys in the Office of the County Recorder of said County, said Point being the northwesterly corner of Parcel 3 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, records of said County, said Point also being a point on the northeasterly line of Garden Street, as it now exists; thence 1st, N. 71°12'17" E., along the northerly line of

said Parcel 3 of Parcel Map No. 20,587 a distance of 352.00 feet; thence 2nd, N. 18°47'43" W., leaving the northwesterly line of said Parcel 3 of Parcel Map No. 20,587 a distance of 24.00 feet to the intersection with a line parallel with and distant 24.00 feet northwesterly, measured at right angles, to Course No. 1 hereinabove described; thence 3rd, S. 71°12'17" W., along said last described parallel line a distance of 352.00 feet to the intersection with the northeasterly line of Garden Street, as it now exists; thence 4th, along the northeasterly line of Garden Street, S. 18°47'43" E., a distance of 24.00 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-004.

Chase Palm Park Expansion – 321 East Cabrillo Boulevard – Parkland Parcel:

That certain tract of real property in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

Parcel 2 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-011.

Chase Palm Park Expansion – 223 East Cabrillo Boulevard – Parkland Parcel:

That certain tract of real property in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

Parcel 3 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-012.

220 East Ortega Street Water Treatment Facility Property:

A certain portion of Block 208 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, said portion being a portion of that tract of land described in the Grant Deed from the City of

Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on September 9, 2005, as Instrument No. 2005-0088013 of Official Records of said County of Santa Barbara, and said portion being that tract of land described as "Agency's Adjusted Parcel" in that certain Agreement Relating to Lot Line Adjustment, Quitclaim Deeds and Acceptance Thereof executed by and to The Redevelopment Agency of the City of Santa Barbara recorded on October 31, 2006, as Instrument No. 2006-0085063, of Official Records of said County of Santa Barbara, being more particularly described as follows:

Commencing at the most westerly corner of said Block 208, being the intersection of the southeasterly line of Ortega Street with the northeasterly line of Santa Barbara Street; Thence N 41°29'54" E, along said southeasterly line of Ortega Street, a distance of 254.41 feet to the northwesterly terminus of the line described in the Quitclaim Deed from Browning Ferris Industries to the City of Santa Barbara recorded March 20, 1978, as Instrument No. 12341 of Official Records of said County (said line is shown on the map filed in Book 110, Page 47 of Record of Surveys), being the True Point of Beginning; Thence 1st, along said line, S 48°30'19" E, a distance of 160.97 feet, more or less, to a point on the northwesterly line of Parcel A of Parcel Map No. 20678 as shown on the map filed in Book 57, Pages 27 through 29, inclusive, of Parcel Maps in the office of the County Recorder of said County; thence 2nd, along said northwesterly line of Parcel A, N 41°30'33" E, a distance of 36.26 feet, more or less, to an angle point therein; thence 3nd, leaving said northwesterly line, N 21°55'52" E, a distance of 33.97 feet; thence 4th, N 48°28'18" W, a distance of 19.90 feet; thence 5th, N 41°31'42" E, a distance of 129.10 feet, more or less, to a point on the southwesterly line of Garden Street; thence 6th, along said southwesterly line of Garden Street, N 48°29'55" W, a distance of 129.77 feet, more or less, to the most northerly corner of said Block 208; thence 7th, S 41°29'54" W, along said southeasterly line of Ortega Street, a distance of 197.40 feet, more or less, to the True Point of Beginning:

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 031-152-033.

Railroad Depot Properties:

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

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Railroad Depot – 220 Chapala Street at State Street Frontage:

That portion of Block 288 of the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map of said City, being that tract of real property described as Parcel One in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995, as Instrument No. 95-033463, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the point of intersection of the Northwesterly line of Yanonali Street with the Southwesterly line of State Street, said point being the most Easterly corner of said Block 288; thence Northwesterly along said Southwesterly line of State Street, 210 feet, more or less, to the most Northerly corner of the parcel of land described secondly in deed dated June 19, 1903, from William Oothout, Jr., to Southern Pacific Company recorded September 16, 1903, in Book 92 of Deeds, Page 391, records of said County; thence Southwesterly at right angles to said line of State Street and along the Northwesterly line of said Parcel described secondly in said deed, a distance of 130.00 feet; thence Northwesterly parallel with said line of State Street being also along the Northeasterly line of a vacated alley, a distance of 90.00 feet; thence Southwesterly parallel with the Northwesterly line of Yanonali Street and along the Northwesterly line of said vacated alley, 170.00 more or less, to a point in the northeasterly line of the 0.207 acre parcel of land described in deed dated March 23, 1904, from Nicolia Bocarich to the Southern Pacific Company, recorded March 24, 1904, in Book 95 of Deeds, Page 226, records of said County; thence Northwesterly along last said Northeasterly line, 10.00 feet, more or less, to the most Northerly corner of said 0.207 acre parcel; thence Southwesterly along the Northwesterly line of last said parcel, 150.00 feet to the Northeasterly line of Chapala Street; thence Southeasterly along last said street line 310 feet, more or less, to its intersection with the Northwesterly line of Yanonali Street, above referred to, said point being the most Southerly corner of said Block 288; thence Northeasterly along last said Street line, 450 feet, more or less, to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-011, Santa Barbara County Assessor's Parcel Number APN 033-041-013, and Santa Barbara County Assessor's Parcel Number APN 033-042-012.

Railroad Depot - 125 State Street:

That portion of Block 306 of the City of Santa Barbara, County of Santa Barbara, State of California, according to

the Official Map of said City, being that tract of real property described as Parcel Two in the Grant Deed to the

Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995, as Instrument No. 95-033463,

of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the point of intersection of the Southeasterly line of Yanonali Street with the Southwesterly line

of State Street, as shown on said map, said point being the most Northerly corner of said Block 306; thence

Southeasterly along said Southwesterly line of State Street, 150.00 feet; thence Southwesterly, parallel with

said Southeasterly line of Yanonali Street, 200.00 feet to the Northeasterly line of Kimberly Avenue; thence

Northwesterly along said last mentioned street line, 150.00 feet to its intersection with said Southeasterly line

of Yanonali Street; thence Northeasterly along said last mentioned street line 200.00 feet to the point of

beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-010-012, Santa Barbara County Assessor's Parcel Number APN 033-042-016, and Santa Barbara

County Assessor's Parcel Number APN 033-075-012.

Railroad Depot – 225 Chapala Street at Mission Creek:

Those portions of Blocks 289 and 290 of the City of Santa Barbara, in the City of Santa Barbara, County of Santa

Barbara, State of California, and of De La Vina Street (closed up and abandoned), lying between said Blocks 289

and 290 of said City, according to the Official Map, being that tract of real property described in whole as Parcel

Three in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995,

as Instrument No. 95-033463, of Official Records of said County of Santa Barbara, more particularly described as

follows:

Beginning at the point of intersection of the Southeasterly line of Montecito Street (60 feet wide) with the

Southwesterly line of Chapala Street (60 feet wide), being the most Northerly corner of said Block 289;

thence Southeasterly along said Southwesterly line of Chapala Street 336.68 feet, more or less, to an iron

pipe set in said line of Chapala Street at the most Easterly corner of the tract of land described in deed to

Southern Pacific Company, a Kentucky corporation, recorded September 10, 1904, in Book 99, Page 363 of

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Deeds, records of said County; thence Southwesterly along the Southeasterly line of said last mentioned tract of land 679.35 feet, more or less, to the most Westerly corner of said last mentioned tract of land and a point in said Southeasterly line of Montecito Street, hereinbefore referred to; thence Northeasterly along said last mentioned street line, 589.96 feet, more or less, to the point of beginning; EXCEPTING THEREFROM that portion of land described in deed to the City of Santa Barbara recorded January 11, 1977, as Reel No. 77-1512 of Official Records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-013, and Santa Barbara County Assessor's Parcel Number APNs 033-042-017.

Railroad Depot - Vacated Chapala Street at Montecito Street:

That certain portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel One in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most northerly corner of Block 289 of the City of Santa Barbara, according to the Official Map thereof, being the intersection of the southeasterly line of Montecito Street and the southwesterly line of Chapala Street as shown on the Official Map; thence northeasterly along said southeasterly line of Montecito Street 60.0 feet to its point of intersection with the northeasterly line of Chapala Street, said point also being the most westerly corner of Block 288; thence southeasterly along said northeasterly line of Chapala Street 245 feet, more or less, to the northwesterly corner of the railroad right of way in Block 288 as reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, said northwesterly corner of railroad right of way being also referred to for reference purposes only as "Point X"; thence leaving said northeasterly line of Chapala Street, northwesterly along the northwesterly prolongation of the northerly line of said railroad right of way a distance of 69 feet, more or less, to its intersection with the southwesterly line of

Chapala Street, said point being the northeasterly corner of the railroad right of way in Block 289 reserved in said Corporation Grant Deed, and said northeasterly corner being also referred to for reference purposes herein as "Point Y"; thence northwesterly along said southwesterly line of Chapala Street 210 feet, more or less, to its point of intersection with the southeasterly line of Montecito Street, said point being also the most northerly corner of said Block 289 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APN 033-042-014.

Railroad Depot - Vacated Chapala Street at Railroad Tracks:

That certain portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel Two in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at a point on the northeasterly line of Chapala Street, distant thereon 245 feet, more or less, southeasterly from the most westerly corner of Block 288 of the City of Santa Barbara, according to the Official Map thereof, said point being the northwesterly corner of the railroad right of way in Block 288 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, said northwesterly corner being also referred to for reference purposes hereinabove as "Point X"; thence continuing southeasterly along said northeasterly line of Chapala Street 105 feet, more or less, to the southwesterly corner of said railroad right of way in Block 288 reserved in said Corporation Grant Deed, said southwesterly corner being also referred to for reference purposes only as "Point Z"; thence leaving said northeasterly line of said Chapala Street, northwesterly along the northwesterly prolongation of the southerly line of said railroad right of way reserved in said Corporation Grant Deed a distance of 69 feet, more or less, to its intersection with the southwesterly line of Chapala Street, said point being the southeasterly corner of

the railroad right of way in Block 289 reserved in the above mentioned Corporation Grant Deed, and said point being also referred to for reference purposes only herein as "Point ZZ"; thence northwesterly along said southwesterly line of Chapala Street 105 feet, more or less, to the northeasterly corner of said railroad right of way in Block 289 reserved in said Corporation Grant Deed, said point being also referred to for reference purposes hereinabove described as "Point Y"; thence leaving said southwesterly line of Chapala Street, southeasterly along the southeasterly prolongation of said northerly line of said railroad right of way a distance of 69 feet, more or less, to "Point X" on the northeasterly line of Chapala Street and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-014.

Railroad Depot - Vacated Chapala Street at Yanonali Street:

That certain tract portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel Three in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most southerly corner of Block 288 of the City of Santa Barbara, as shown on the Official Map thereof, being the intersection of the northeasterly line of Chapala Street and the northwesterly line of Yanonali Street; thence southwesterly along the northwesterly line of Yanonali Street a distance of 60.0 feet to its point of intersection with the southwesterly line of Chapala Street; thence northwesterly along said southwesterly line of Chapala Street a distance of 140 feet, more or less, to the southeasterly corner of the railroad right of way in Block 289 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, and said point being also referred to for reference purposes hereinabove as "Point ZZ"; thence leaving said southwesterly line of Chapala Street, southeasterly along the southeasterly

prolongation of the southerly line of said railroad right of way a distance of 69 feet, more or less, to its intersection with the northeasterly line of Chapala Street, said point being the southwesterly corner of the railroad right of way in Block 288 reserved in the above mentioned Corporation Grant Deed by Southern Pacific Transportation Company, and said point being also referred to for reference purposes hereinabove as "Point Z"; thence southeasterly along said northeasterly line of Chapala Street a distance of 105 feet, more or less, to its point of intersection with the northwesterly line of Yanonali Street, said point being also the most southerly corner of Block 288 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-041-012.

Railroad Depot - Vacated Yanonali Street at State Street:

That certain portion of Yanonali Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Yanonali Street being that tract of land described as Parcel Four in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most easterly corner of Block 288 in the City of Santa Barbara, according to the Official Map thereof, being the intersection of the southwesterly line of State Street and the northwesterly line of Yanonali Street; thence southeasterly along said southwesterly line of State Street 60.0 feet to its point of intersection with the southeasterly line of Yanonali Street, said point of intersection also being the most northerly corner of Block 306; thence southwesterly along said southeasterly line of Yanonali Street a distance of 23 feet, more or less, to the northwesterly corner of the railroad right of way in Block 306 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County; thence continuing southwesterly along said southeasterly line of Yanonali Street a distance of 140 feet, more or less, to the southwesterly corner of

the railroad right of way in Block 306 reserved in said Corporation Grant Deed by Southern Pacific Transportation Company; thence continuing southwesterly along said southeasterly line of Yanonali Street a distance of 38 feet, more or less, to the most northerly corner of the street easement for Kimberly Avenue, as shown on the map of City Block No. 306 and described in City Ordinance No. 826; thence leaving said southeasterly line of Yanonali Street, northwesterly along the northwesterly prolongation of the northeasterly line of said Kimberly Avenue a distance of 22 Feet, more or less, to its intersection with the southwesterly prolongation of the southerly line of the said railroad right of way in Block 306 reserved in said Corporation Grant Deed; thence southwesterly along the northwesterly prolongation of said southerly line of said railroad right of way a distance of 77 feet, more or less, to its intersection with the northwesterly line of Yanonali Street, said point of intersection being the southeasterly corner of said railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly along said northwesterly line of Yanonali Street a distance of 141 feet, more or less, to the northeasterly corner of the railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly corner of the railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly continuing along said northwesterly line of Yanonali Street a distance of 128 feet, more or less, to its point of intersection with the southwesterly line of State Street, said point also being the most easterly corner of Block 288 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-015 and Santa Barbara County Assessor's Parcel Number APN 033-042-015.

Railroad Depot - 35 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel One in that certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as Instrument No. 94-038853, of Official Records, records of said County, more particularly described as follows:

Beginning at the most westerly corner of said Block 288, being the intersection of the southeasterly line of Montecito Street with the northeasterly line of Chapala Street; thence northeasterly along said line of Montecito Street 60 feet; thence at right angles southeasterly 140 feet; thence at right angles southwesterly 60 feet to the northeasterly line of Chapala Street; thence northwesterly along said line of Chapala Street 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-001.

Railroad Depot - 29 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara,

State of California, according to the Official Map thereof, being that tract of land described as Parcel Two in that

certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as

Instrument No. 94-038853, of Official Records, records of said County, more particularly described as follows:

Beginning at a point on the southeasterly line of Montecito Street, distant thereon 60 feet northeasterly from

the most westerly corner of said Block; thence northeasterly along said line of Montecito Street 30 feet;

thence at right angles southeasterly 140 feet; thence at right angles southwesterly 30 feet; thence at right

angles northwesterly 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-002.

Railroad Depot - 25 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara,

State of California, according to the Official Map thereof, being that tract of land described as Parcel One in that

certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as

Instrument No. 94-038852, of Official Records, records of said County, more particularly described as follows:

Beginning on the southeasterly line of Montecito Street 90 feet northeasterly from the northeasterly line of

Chapala Street; thence northeasterly along said line of Montecito Street 40 feet; thence at right angles

southeasterly 140 feet; thence at right angles southwesterly 40 feet; thence at right angles northwesterly 140

feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-003.

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Railroad Depot - 23 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Three in that certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as Instrument No. 94-038852, of Official Records, records of said County, more particularly described as follows:

Beginning at a point on the southeasterly line of Montecito Street distant thereon 130 feet northeasterly from the most westerly corner of said Block; thence northeasterly along said line of Montecito Street 40 feet; thence at a right angle southeasterly 150 feet; thence at a right angle southwesterly 20 feet; thence at a right angle northwesterly 10 feet; thence at a right angle southwesterly 20 feet; thence at a right angle northwesterly 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-042-004.

Railroad Depot - 235 State Street:

That portion of Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, referred to for convenience as Parcel DD4334-01-01 (05-SB-101 Post Mile 13.8) in the Director's Deed by the State of California, acting by and through its Director of Transportation (Caltrans), to the Redevelopment Agency of the City of Santa Barbara recorded on January 29, 2001, as Instrument No. 2001-0006319, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the southwesterly side line of State Street distant S 47°35′42″ E, 117.05 feet along said line from the most northerly corner of said Block on the southeasterly line of Montecito Street; thence (1), along said side line S 47°35′42″ E, 13.60 feet to the point of intersection with that southeasterly 180 foot boundary course of the land in said Block described in Section B of the Decree of Final Distribution filed with said County as Document 83-3336; thence (2), along said record course common to that Enterprise Laundry Co. tract referred to in said Decree S 42°24′18″ W, 167.98 feet; thence (3), N 47°36′08″ W, 121.44 feet; thence (4), N 44°48′46″ E, 141.40 feet; thence (5), S 67°40′13″ E, 71.49 feet; thence (6), S 51°11′34″ E, 34.83 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-019.

Parking Lot Properties:

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California,

described as follows:

Commuter Parking Lot – 119 East Cota Street at Santa Barbara Street:

All that portion of Block 209, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown

on the Official Map of said City, being that tract of land described in the Quitclaim Deed from the City of Santa

Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on September 20, 1984, as

Instrument No. 1984-051149, of Official Records of said County of Santa Barbara, more particularly described as

follows:

Beginning at the most southerly corner of said Block 209; thence North 41°29'17" East 146.13 feet along the

northeasterly line of Cota Street to the True Point of Beginning; thence the following courses and distances

as follows: 1st, continuing North 41°29'17" East 310.36 feet to the most easterly corner of said Block 209; 2nd,

North 48°29'45" West 225.76 feet along the southwesterly line of Santa Barbara Street to the most easterly

corner of the tract of land described in the Grant Deed to the State of California filed March 20, 1962, in

Book 1911 at Page 676 of Official Records, Santa Barbara County; 3rd, South 41°29'55" West 310.40 feet

along the southeasterly boundary of said State of California tract and its southwesterly extension to a point on

the southeasterly boundary of the tract of land described as Parcel One in the Grant Deed to Melni

Investments filed for record December 15, 1977, as Reel No. 77-61734 of Official Records, Santa Barbara

County, said point being 146.13 feet distant on said boundary from the northeasterly line of Anacapa Street;

4th, South 48°30'30" East 225.82 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 031-151-018.

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Parking Lot – 217 Helena Avenue:

A portion of Block 287, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown on the Official Map of said City, being a portion of that certain tract of real property granted to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded on September 8, 1994, as Instrument No. 94-068906, of Official Records, in the Office of the County Recorder of Santa Barbara County, State of California, said portion being described as the "Parking Parcel" on Exhibit C2 attached to that certain Reciprocal Easement Agreement recorded on December 30, 1998, as Instrument No. 98-102122 of Official Records of said County, said portion being more particularly described as follows:

Commencing at a point on the southwesterly line of Helena Avenue, distant S. 47°35'41" E., 7.91 feet from the southeasterly line of Montecito Street; thence S. 47°35'41" E., along the southwesterly line of Helena Avenue, a distance of 135.40 feet to the True Point of Beginning; thence 1st, S. 42°24'19" W., a distance of 67.00 feet; thence 2nd, S. 47°35'41" E., a distance of 11.00 feet; thence 3rd, S. 42°24'19" W., a distance of 79.70 feet; thence 4th, S. 47°35'41" W., a distance of 17.00 feet; thence 5th, S. 42°24'19" W., a distance of 27.84 feet to a point in the southwesterly line of said City of Santa Barbara Redevelopment Agency parcel, said point also being the beginning of a non-tangent curve, concave southwesterly, having a radius of 1052.00 feet, a radial center of which bears S. 39°07'16" W., and a delta of 3°19'33"; thence 6th, southeasterly along the arc of said curve and said southwesterly line of Santa Barbara Redevelopment Agency parcel, a distance of 61.06 feet; thence 7th, S. 47°35'34" E., along said southwesterly line of Santa Barbara Redevelopment Agency parcel, a distance of 26.97 feet to a point in the southeasterly line of Parcel Three described in a Grant Deed to the State of California recorded April 22, 1987, as Instrument No. 87-029384, of Official Records of said County, at a point distant N. 42°24'19" E., 27.19 feet along said line from the most southerly corner of said Parcel Three on the northeasterly line of State Street; thence, 8th, N. 42°24'19" E., along said southeasterly line of Parcel Three, a distance of 45.66 feet; thence 9th, N. 47°35'41" W., along said southeasterly line of Parcel Three, a distance of 3.50 feet; thence 10th, N. 42°24'19" E., along said southeasterly line of Parcel Three, a distance of 127.15 feet to the southwesterly line of Helena Avenue; thence 11th, N. 47°35'41" W., along said southwesterly line of Helena Avenue, a distance of 78.50 feet to the Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-051-020.

Parking Lot - Mason Street at Santa Barbara Street:

A portion of Block 321, in the City of Santa Barbara, County of Santa Barbara, State of California, according to

the Official Map thereof, being that tract of land described as Parcel One in that Corporation Grant Deed to the

Redevelopment Agency of the City of Santa Barbara recorded on December 30, 1992, as Instrument

No. 92-104284, of Official Records of said County, together with a portion of Santa Barbara Street, vacated and

described as Parcel Two in Resolution No. 95-178 of the Council of the City of Santa Barbara, a copy of which

was recorded on December 18, 1998, as Instrument No. 98-098974 of Official Records of said County, said

portion of Santa Barbara Street also being described as Parcel Two in the Grant Deed from the City of Santa

Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996, as

Instrument No. 96-008734, of Official Records of said County, said portion of Block 321 and vacated portion of

Santa Barbara Street being more particular described together as a whole as follows:

Parcel 2 as shown on Redevelopment Parcel Map No. 20,626, according to the map thereof recorded on

January 24, 2001, filed in Book 55 of Parcel Maps, at Pages 14 through 17, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-113-014, and sometimes including Santa Barbara County Assessor's Parcel Number

APN 033-113-022.

Parking Lot - Garden Street at Cabrillo Boulevard:

Those portions of Block 320 and 321, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, together with a portion of Santa Barbara Street lying between said Blocks

320 and 321 of said City, as vacated and described as Parcel Three in Resolution No. 95-178 of the Council of

the City of Santa Barbara, a copy of which was recorded on December 18, 1998, as Instrument No. 98-098974 of

Official Records of said County, and being that tract of land described as Parcel Three in the Grant Deed from the

City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996,

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as Instrument No. 96-008734, of Official Records of said County, said portions of Block 320, Block 321 and vacated Santa Barbara Street being more particular described together as a whole as follows:

Parcel 4A and Parcel 4B of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 033-113-016 and -017, and sometimes including Santa Barbara County Assessor's Parcel Number APN 033-113-023.

Parking Lot - Garden Street at Railroad Tracks:

That certain portion of Block 320, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that parcel described as Parcel Two in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on October 10, 1996, as Instrument No. 96-061814, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the northeasterly line of Santa Barbara Street with a line parallel with and distant 50.00 feet northwesterly, measured at right angles, from the centerline of the westbound main track (Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company, as successor of Southern Pacific Company, as shown on map of survey filed in Book 116, Pages 11 through 16, inclusive, of Record of Surveys in the Office of the County Recorder of said County; thence N. 71°12′17″ E., along said last mentioned parallel line, a distance of 209.30 feet to the beginning of a curve concave easterly, the radial center of which bears N. 76°44′43″ E., a distance of 248 feet; thence southeasterly along the arc of said curve through a central angle of 5°32′26″, a arc length of 23.98 feet; thence S. 18°47′34″ E., a distance of 92.06 feet to the intersection with the northerly line of the tract of land described in the Deed to the City of Santa Barbara recorded January 11, 1977, as Reel No. 77-1510 of Official Records of said County, said land being shown together with other land on a Map of Survey filed in Book 114, Page 22 of Record of Surveys in the Office of the County Recorder of said County; thence S. 71°12′17″ W., along the northerly line of said City of Santa Barbara tract of land a distance of 104.00 feet to the True Point of Beginning, said Point now being the northeasterly corner of Parcel 4A of Parcel Map No. 20,587, according to the map thereof recorded on

August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County, said Point also being a point on the southwesterly line of Garden Street, as it now exists; thence 1st, N. 18°47'43" W., a distance of 37.04 feet, along the southwesterly line of said Garden Street, to the intersection with a line parallel with and distant 29.00 feet, southeasterly, measured at right angles, from the centerline of the westbound main track (Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company; thence 2nd, S. 71°12'17" W., along said last mentioned parallel line, a distance of 59.10 feet to the intersection with the northeasterly line of the vacated portion of Santa Barbara Street described as Parcel Three in Resolution No. 95-178 of the Council of the City of Santa Barbara, a copy of which was recorded on December 18, 1998, as Instrument No. 98-098974 of Official Records of said County, said point being the northeasterly corner of the tract of land described as Parcel Three in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996, as Instrument No. 96-008734, of Official Records of said County; thence 3rd, S. 48°30'00" E., along the northeasterly line of said Parcel Three in the Grant Deed recorded as Instrument No. 96-008734 of Official Records, a distance of 42.64 feet, to the northwesterly corner of Parcel 4A of said Parcel Map No. 20.587: thence 4th, N. 71°12'17" E., along the northerly line of Parcel 4A of said Parcel Map No. 20,587, a distance of 37.97 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-113-018.

Parking Structure Lot 10 - Ortega Street at Anacapa Street:

Those certain tracts of real property located within Block 210, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, more particularly described as follows:

Lot 1, Lot 2 and Lot 4 of Parcel Map No. 20,512, according to the map thereof recorded on October 20, 1989, filed in Book 44 of Parcel Maps, at Pages 44 through 47, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 037-132-035, -036 and -038.

Parking Lot 11 - Paseo at State Street:

That portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on March 24, 1988, as Instrument No. 88-017302, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the northeasterly line of State Street 227 feet northwesterly from the south corner of said Block 229; thence northwesterly along said line of State Street 10 feet; thence at a right angle northeasterly 100 feet; thence at right angles southeasterly 10 feet; thence at a right angle southwesterly 100 feet to the place of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-047.

Parking Lot 11 - Paseo at Cota Street:

That portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel One in the Quitclaim Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 24, 1994, as Instrument No. 94-016675, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the most westerly corner of that certain parcel of land conveyed by deed to the City of Santa Barbara, recorded on January 28, 1960, as Instrument No. 3006, in Book 1710, at Page 59 of Official Records, being a point on the southeasterly line of Cota Street, thence the following courses and distances as follows: 1st, northeasterly along the southeasterly line of Cota Street a distance of 12.00 feet to the most northerly corner of said tract of City of Santa Barbara; 2nd, at right angles to said southeasterly line of Cota Street, southeasterly along the northeasterly line of said tract of City of Santa Barbara, a distance of 125.00 feet, more or less, to the southerly corner of that certain parcel of land conveyed by deed recorded April 17, 1889, in Book 24 of Deeds at Page 265, records of said County; 3rd, at right angles, parallel with the southeasterly line of said Cota Street, southwesterly a distance of 12.00 feet to a point on the southwesterly

line of said tract of City of Santa Barbara, said point being southeasterly a distance of 125.00 feet, measured at right angles, from the southeasterly line of Cota Street; 4th, at right angles, northwesterly a distance of 125 feet to the southeasterly line of Cota Street and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-049.

Parking Lot 11 - Haley Street at Anacapa Street:

All that portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Certificate of Voluntary Merger executed by the Redevelopment Agency of the City of Santa Barbara and recorded on April 28, 1994, as Instrument No. 94-036347, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the most southerly corner of said Block 229; thence northwesterly along the northeasterly line of State Street, a distance of 227.00 feet to the most southerly corner of that certain parcel of land described in the deed to Charles Craviotto recorded December 18, 1965, as Instrument No. 42605, in Book 2130 at Page 1330 of Official Records in the Office of the County Recorder of Santa Barbara County; thence at right angles, northeasterly into said Block 229 along the southeasterly line of said Craviotto tract of land to the most easterly corner of said Craviotto tract, said point also being in the southwesterly line of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County, said point being the True Point of Beginning; thence the following courses and distance as follows: 1st, northwesterly along said southwesterly line of said Redevelopment Agency tract to the most westerly corner of "Parcel One" as described in said Grant Deed recorded as Instrument No. 23114 of Official Records of said County; 2nd, northeasterly along the northwesterly line of said Redevelopment Agency tract a distance of 28.50 feet to the most southerly corner of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 13, 1983, as Instrument No. 83-23705 of Official Records of said County; 3rd, northwesterly along the southwesterly line of said last mentioned Redevelopment Agency tract a distance of 45.04 feet, more or less, to the most westerly corner thereof, said corner being also a point in the southeasterly line of that certain parcel of land conveyed to Ralph C. McColm and Sophia A. McColm,

as Trustees, by Grant Deed recorded February 14, 1972, as Instrument No. 4898 in Book 2386 at Page 516 of Official Records of said County; 4th, northeasterly along said southeasterly line of McColm tract a distance of 128.14 feet, more or less, to a point in the southwesterly line of an alley, 12 feet in width, as described by deed to William Ealand recorded January 10, 1874, in Book L of Deeds at Page 459, records of Santa Barbara County, said alley also being that certain parcel of land conveyed to the City of Santa Barbara by deed recorded January 28, 1960, as Instrument No. 3006 in Book 1710 at Page 59, Official Records of said County, being also that alley vacated and abandoned by Resolution No. 86-223 of the Council of the City of Santa Barbara, a copy of which was recorded on December 11, 1986, as Instrument No. 1986-081512 of Official Records of said County, said point being the most northerly corner of that Redevelopment Agency tract described in deed recorded as Instrument No. 83-23705 of Official Records of said County, and being southeasterly a distance of 135.00 feet, measured at right angles, from the southeasterly line of Cota Street; 5th, northwesterly along the southwesterly line of said alley a distance of 10.00 feet, more or less, to the most southerly corner of that tract of land describe as "Parcel One" in the Quitclaim Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded February 24, 1994, as Instrument No. 94-016675 of Official Records of said County, being also the most westerly corner of that tract of land described as "Parcel Two" in said Quitclaim Deed to the Redevelopment Agency; 6th, northeasterly along the southeasterly line of said Redevelopment Agency tract described as Parcel One in said Quitclaim Deed, a distance of 12.00 feet, more or less, to the most easterly corner of said Redevelopment Agency tract described in said Quitclaim Deed, being also the most westerly corner of that tract of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County, and being the southerly corner of that certain parcel of land conveyed by deed recorded April 17, 1889 in Book 24 of Deeds at Page 265, records of said County; 7th, northeasterly, parallel with Cota Street, along the southeasterly line of last mentioned parcel of land described in deed recorded in Book 24 of Deeds at Page 265, a distance of 45.00 feet, more or less, to a point in the southwesterly line of land formerly owned by B.L. Sprague, conveyed by deed recorded February 3, 1873, in Book K of Deeds at Page 92, records of said County, 8th, at right angles, southeasterly along said southwesterly line of Sprague tract, a distance of 25.00 feet to the southerly corner thereof; 9th, at right angles, northeasterly along the southeasterly line of lands formerly owned by B.L. Sprague, Francis Loomis,

and Delfino Carrillo, a distance of 50.00 feet, more or less, to a point in the southwesterly line of that certain parcel of land conveyed to Louis Miratti and wife by deed recorded in Book 201 of Deeds at Page 346, records of said County; 10th, southeasterly along said southwesterly line of Miratti tract, a distance of 12.50 feet, more or less, to the westerly corner of that certain tract of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Quitclaim Deed recorded December 28, 1982, as Instrument No. 82-54340 of Official Records of said County; 11th, northeasterly along the northwesterly line of said Redevelopment Agency tract, a distance of 91.00 feet, more or less, to a point in the southwesterly line of Anacapa Street, said point being also distant 163.00 feet southeasterly from the most northerly corner of said Block 229; 12th, southeasterly along said southwesterly line of Anacapa Street, a distance of 170.00 feet, more or less, to the most northerly corner of that certain parcel of land described as "Parcel One" in the Grant Deed to Abraham Safina, Mike Safina and William Safina recorded August 10, 1979 as Instrument No. 79-37378 of Official Records of said County; 13th, southwesterly along the northwesterly line of said Safina tract, a distance of 120.00 feet to the most westerly corner of that certain tract of land described as "Parcel Three" in the Grant Deed to Safina recorded as Instrument No. 79-37378 of Official Records of said County, being also the most northerly corner of "Parcel Two" of that certain tract of land to the Redevelopment Agency of the City of Santa Barbara described in the Final Order of Condemnation recorded June 22, 1992, as Instrument No. 92-047615 of Official Records of said County; 14th, southeasterly along the northeasterly line of said Redevelopment Agency tract, a distance of 120.00 feet, more or less, to a point in the northwesterly line of Haley Street, said point being the most easterly corner of that certain tract of land described in the Final Order of Condemnation recorded as Instrument No. 92-047615 of Official Records of said County: 15th, southwesterly along said northwesterly line of Haley Street to the southerly corner of that certain tract of land described in the Final Order of Condemnation recorded as Instrument No. 92-047615 of Official Records of said County, being also the most southerly corner of that certain parcel of land describe in the Indenture to John Walcott recorded June 17, 1903 in Book 91 of Deeds at Page 454, records of said County; 16th, at right angles, northwesterly along the southwesterly line of said Walcott tract, a distance of 137.00 feet to the most easterly corner of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded August 30, 1983, as Instrument No. 83-45945 of Official Records of said County; 17th, southwesterly along the southeasterly line of the last mentioned Redevelopment Agency tract

and the northwesterly line of that certain parcel of land conveyed to Faulding Properties by deed recorded August 27, 1986, as Instrument No. 1986-054261 of Official Records of said County, a distance of 105.00 feet, more or less, to the most westerly corner of said Faulding Properties tract, said corner being also the most southerly corner of that aforementioned parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County; 18th, northwesterly along the southwesterly line of the last mentioned Redevelopment Agency tract, a distance of 90.00 feet, more or less, to the most easterly corner of the aforementioned tract of land conveyed to Craviotto by deed recorded in Book 2130 at Page 1330 of Official Records of said County, being the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-050.

Parking Lot 12 - Gutierrez Street at State Street:

All that portion of Block 269, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Certificate of Voluntary Merger executed by the Redevelopment Agency of the City of Santa Barbara recorded November 20, 1991, as Instrument No. 91-078060 of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the Southeasterly line of Gutierrez Street, said point being the most northerly corner of the parcel of land described in the Individual Grant Deed from Donald A. Hughes to the Redevelopment Agency of the City of Santa Barbara recorded as Instrument No. 1985-021801 in the Office of the County Recorder of said County, said point also being shown as 52.00 feet left of State Street Station 14+06.74 on the State of California Business and Transportation Agency Department of Transportation Right of Way Map of the Crosstown Freeway, State Street Undercrossing of SB Route 101, at Post Mile 13.8A, Sheet No. 2 of 2 Sheets (November 1987 Revision), hereinafter to be referred to as "Right of Way Map"; thence 1st, along the most northeasterly line of Parcel 3544-3 as shown on said Right of Way Map, South 42°47'34" East 8.19 feet to a point lying 52.00 feet left of State Street Station 13+98.55 as shown on said Right of Way Map, said point also being the beginning of a curve of Radius 2052.00 feet concave northeasterly and concentric with the centerline of State Street as shown on said Right of Way Map; thence 2nd, continuing southeasterly along the

northeasterly line of said Parcel 3544-3 along the arc of said 2052.00 foot radius curve through a central angle of 02°36'08" a length of 93.19 feet to the most easterly corner of the parcel of land described in said Individual Grant Deed, said point also being the most northerly corner of Parcel 3543-3 as described in Exhibit "A" of Resolution No. 731 of the Redevelopment Agency of the City of Santa Barbara dated June 17, 1986; thence 3rd, continuing southeasterly along the arc of said 2052.00 foot radius curve and the most northeasterly line of said Parcel 3543-3 through a central angle of 02°47'34" a length of 100.02 feet to the most easterly corner of said Parcel 3543-3, said point also lying on the northwesterly line of the tract of land (now known as Parker Way) described in the document filed in Book 209, at Page 385 of Deeds in the Office of the County Recorder and as shown on said Right of Way Map; thence 4th, continuing southeasterly along the arc of said 2052.00 foot radius curve through a central angle of 01°23'47" a length of 50.01 feet to a point on the southeasterly line of said Parker Way, said point also being the most northerly corner of Parcel 3541-3 as described in Document No. 162507 as filed in the Superior Court at Santa Barbara on October 29, 1990, said Document being the Final Order of Condemnation wherein said Parcel 3541-3 was condemned to the Redevelopment Agency of the City of Santa Barbara, for parking purposes; thence 5th, continuing southeasterly along the arc of said curve and the most northeasterly line of said Parcel 3541-3 through a central angle of 00°19'44" a length of 11.78 feet to a point lying 52.00 feet left of State Street Station 11+50.00 as shown on said Right of Way Map; thence 6th, continuing along the boundary of said Parcel 3541-3 South 29°46'41" East 42.46 feet to a point lying 106.70 feet right of SB Route 101 Station 131+31.13 as shown on said Right of Way Map; thence 7th, continuing along the boundary of said Parcel 3541-3 South 38°33'15" West 109.12 feet to a point lying 99.36 feet right of SB Route 101 Station 132+40.00 as shown on said Right of Way Map; thence 8th, continuing along the boundary of said Parcel 3541-3 South 42°23'52" West 4.12 feet; thence 9th, continuing along the boundary of said Parcel 3541-3 North 47°34'41" West 59.56 feet to the most westerly corner of said Parcel 3541-3, said point also lying on the southeasterly line of said Parker Way; thence 10th, South 42°25'19" West along said southeasterly line of Parker Way 1.50 feet; thence 11th, at right angles North 47°34'41" West 50.00 feet to the intersection of the northwest line of said Parker Way and the northeasterly line of Motor Way (as shown on said Right of Way Map and also on "Official Map No. 1955-1 of Undedicated Streets in the City of Santa Barbara" as adopted by the City Council of the City of Santa Barbara in Resolution No. 2737, dated February 24, 1955), said point also lying on the southeasterly

line of said Parcel 3543-3; thence 12th, South 42°25'19" West along said northwesterly line of Parker Way and the Southeasterly line of said Parcel 3543-3 15.00 feet to the most southerly corner of said Parcel 3543-3; thence 13th, along the most southwesterly line of said Parcel 3543-3 North 47°34'41" West 100.00 feet to the most westerly corner of said Parcel 3543-3; thence 14th, along the most northwesterly line of said Parcel 3543-3 North 42°25'19" East 15.00 feet to a point on said northeasterly line of Motor Way, said point also being the most southerly corner of said Parcel 3544-3; thence 15th, along said northeasterly line of Motor Way and the southwesterly line of said Parcel 3544-3 North 47°34'41" West 101.15 feet to the most westerly corner of said Parcel No. 3544-3, said point also lying on said southeasterly line of Gutierrez Street; thence 16th, along said southeasterly line of Gutierrez Street and the northwesterly line of said Parcel 3544-3 North 42°24'31" East 133.60 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-252-011.

Parking Lot 6 - Granada Garage Structure:

That portion of Block 107, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown on the Official Map of said City, said portion of Block 107 being more particularly described as follows:

Lot 1 of Redevelopment Parcel Map No. 20,640, according to the map thereof recorded on January 21, 2003, filed in Book 56 of Parcel Maps, at Pages 44 through 46, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 039-183-046, -053 and -054.

Commuter Parking Lot – 400 West Carrillo Street at Castillo Street:

All those certain portions of Block 146, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, described as Parcel One, Parcel Two, Parcel Three, Parcel Four and Parcel Five in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 1, 1983, as Instrument No. 83-15727, of Official Records of said County of Santa Barbara, said Parcels being more particularly described as follows:

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Parcel One: Commencing at a point in the southwesterly line of Castillo Street distant 150 feet southeasterly from the most northerly corner of Block 146, as said Street and said Block are designated and shown on the Official Map and survey of said City of Santa Barbara, and running thence southeasterly along said line of Castillo Street, 50 feet; thence at right angles southwesterly and into said Block 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northeasterly 150 feet to the southwesterly line of Castillo Street and the place of beginning;

Parcel Two: Beginning at the intersection of the southwesterly line of Castillo Street with the northwesterly line of Carrillo Street; and running thence southwesterly along said northwesterly line of Carrillo Street 225 feet; thence at right angles northwesterly 275 feet; thence at right angles northeasterly 75 feet; thence at right angles southeasterly 175 feet; thence at right angles northeasterly 150 feet to said southwesterly line of Castillo Street; thence southeasterly along said line 100 feet to the point of beginning; EXCEPTING THEREFROM that portion conveyed to the State of California by deed recorded December 30, 1959, as Instrument No. 43729 in Book 1701, Page 371 of Official Records;

Parcel Three: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 300 feet southeasterly from the most northerly corner of said Block; thence southeasterly along said Street line 50 feet to a point; thence at right angles southwesterly 150 feet to a point; thence at right angles northwesterly 50 feet to the point of beginning;

Parcel Four: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 250 feet southeasterly from the northerly corner of said Block; thence southeasterly along said line of Castillo Street 50 feet; thence at right angles southwesterly 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northwesterly 150 feet to the point of beginning;

Parcel Five: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 200 feet southeasterly from the northerly corner of said Block 146; thence southeasterly along said southwesterly line 50 feet; thence at right angles southwesterly 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northwesterly 150 feet to the point of beginning;

And said Parcels One, Two, Three, Four and Five described above are referred to together herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 039-261-009.

Parking Structure Lot 2 - Canon Perdido Street at Chapala Street:

Those certain tracts of real property located within Block 158, in the City of Santa Barbara, County of Santa

Barbara, State of California, as shown on the Official Map thereof, particularly described as follows:

Lot 1 and Lot 2 of Parcel Map No. 20,511, according to the map thereof recorded on October 10, 1989, filed

in Book 44 of Parcel Maps, at Pages 35 through 41, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers

APNs 039-321-045, -047, -048, -051, -054, -055 and -056.

Paseo Nuevo Retail Center Properties:

Those certain portions of Block 175 and Block 193, in the City of Santa Barbara, County of Santa Barbara, State of

California, according to the Official Map thereof, and that portion of De La Guerra Street lying between said Blocks

175 and 193 vacated and described in Resolution of the City Council of the City of Santa Barbara recorded on

December 15, 1988, as Instrument No. 88-080924 of Official Records of said County, excepting that portion of De La

Guerra Street described in deed recorded as Instrument No. 89-12331 of Official Records of said County, said lands

being more particularly described as follows:

Parcels 1 through 14 of Parcel Map No. 20,504, according to the map thereof recorded on February 24, 1989,

filed in Book 42 of Parcel Maps, at Pages 86 through 98, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers

APNs 037-400-001, -002, -003, -004, -005, -006 and -019.

Bath Street at Mission Creek Properties

Those certain portions of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, described as follows:

635 Bath Street at Mission Creek:

That certain portion of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, described in the Grant Deed to the Redevelopment Agency of the City of

Santa Barbara recorded on February 13, 2008, as Instrument No. 2008-0007929, of Official Records of said

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County of Santa Barbara, more particularly described as follows:

Beginning at the most northerly corner of said Block 214; thence southeasterly along the southwesterly line of Bath Street, 26 feet to a ½ inch pipe survey monument; thence at right angles southwesterly, 47.00 feet to a ½ inch pipe survey monument; thence North 68°09'30" West, 27.61 feet to a ½ inch pipe monument, said monument being on the southeasterly line of Ortega Street, 58.35 feet southwesterly from the most northerly corner of said Block; thence 58.35 feet northeasterly along the southeasterly line of Ortega Street, to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-113-009.

633 Bath Street at Mission Creek:

That certain portion of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, described as Parcel One in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on February 29, 2008, as Instrument No. 2008-0011283, of Official Records of said County of Santa Barbara, being more particularly described as follows:

Beginning at the most northerly corner of said Block 214; thence southeasterly along the southwesterly line of Bath Street, 26 feet to a ½ inch pipe survey monument and the True Point of Beginning; thence southeasterly along the southwesterly line of Bath Street, 30.85 feet to a cross on sidewalk; thence at right angles southwesterly, 41.85 feet to a ¾ inch pipe survey monument; thence at right angles northwesterly, 15.26 feet to a ½ inch pipe monument; thence North 68°09'30" West, 16.53 feet to a ½ inch pipe survey monument; thence northeasterly in a line parallel to the southeasterly line of Ortega Street, 47.00 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-113-010.

RESOLUTION N	IO.	
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A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING TITLE TO ALL INTERESTS IN REAL PROPERTY, INCLUDING LEASEHOLDS AND EASEMENTS. OWNED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, AS LEGALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO. AND AUTHORIZING THE RECORDATION OF THE GRANT DEED IN THE OFFICIAL RECORDS, IN THE OFFICE OF COUNTY RECORDER, COUNTY OF THE BARBARA, STATE OF CALIFORNIA. TO IMPLEMENT THE SET PROVISIONS FORTH IN THE **MULTI-YEAR** COOPERATION AGREEMENT AND THE REDEVELOPMENT PLAN FOR THE CENTRAL CITY REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of Santa Barbara ("Agency") was created pursuant to the California Redevelopment Law ("CRL") to pursue activities in the Central City Redevelopment Project Area ("Project Area") of the City which eliminate blight and enhance the physical and economic health of the Project Area. The Redevelopment Plan for the Project Area was adopted November 14, 1972 by the City Council of the City of Santa Barbara ("City") by City Council Ordinance No. 3566 and has been amended several times thereafter ("Redevelopment Plan");

WHEREAS, In accordance with the CRL and the Redevelopment Plan, the Agency may not incur additional indebtedness after December 31, 2003, and the Project Area will expire on August 30, 2015;

WHEREAS, on December 16, 2003, in accordance with Section 407 of the Redevelopment Plan and Section 33220 et seq. of the CRL, the City Council adopted Ordinance No. 5301 approving an Agreement for Public Improvement, Public Transportation and Administrative and Other Services Between the Agency and the City ("Multi-Year Cooperation Agreement") in which the City is obligated to fund and to undertake all activities to redevelop, revitalize and eliminate blight in the Project Area on behalf of the Agency and the Agency is obligated to reimburse the City for all funds expended by the City to carry out the activities contemplated therein;

WHEREAS, pursuant to the Multi-Year Cooperation Agreement, the Agency is obligated to reimburse the City with currently available and future tax increment funds received by the Agency pursuant to Health & Safety Code section 33670;

WHEREAS, in accordance with the CRL Section 33342, and as authorized by Section 402 of the Redevelopment Plan, the Agency acquired, for redevelopment purposes, the interests in real property legally described in the attached Exhibit A, "Agency Property" incorporated herein by this reference as though set forth in full;

WHEREAS, much of the Agency Property, including the Property described in Exhibit A as the Chase Palm Park Expansion Properties, Ortega Water Treatment Facility, Paseo Nuevo Retail Center Properties, including the associated parking facilities, were acquired by the Agency from the City to effectuate the Redevelopment Plan;

WHEREAS, in accordance with the Multi-Year Cooperation Agreement and the Redevelopment Plan, the Agency has generally completed the consolidation and redevelopment of the Agency Property;

WHEREAS, because the Project Area will expire in 2015, it is appropriate to the transfer the Agency Property to the City so as to provide for the continued redevelopment, use and maintenance of the Agency Property for redevelopment purposes;

WHEREAS, the transfer of the Agency Property to the City will (i) carry out the goals and purposes of the Multi-Year Cooperation Agreement, (ii) accomplish and achieve the purposes of the Redevelopment Plan for the Project Area, (iii) sustain the redevelopment accomplished by the implementation of the Plan, (iv) expand and improve the City's supply of affordable housing and, (v) enforce existing covenants, contracts and other obligations arising from the redevelopment projects; and

WHEREAS, pursuant to Section 15061(b)(3) of the State California Environmental Quality Act ("CEQA") Guidelines, the acceptance of real property transfer is exempt from environmental review under CEQA because it can be seen with certainty that there is no possibility that the transfer may have a significant effect on the environment and pursuant to Section 15301 of the State CEQA Guidelines, the acceptance of the real property transfer is exempt from environmental review under CEQA because the transfer will result in a continuation of existing facilities involving no expansion of use, and any future development for the real property will require separate environmental review.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Agency Property, much of which was acquired by the Agency from the City, and which was acquired by the Agency from private landowners for redevelopment purposes, was generally conveyed to the Agency for the temporary purpose of parcel consolidation and redevelopment pursuant to public-private redevelopment partnerships which have now been accomplished.

SECTION 3. The City of Santa Barbara hereby accepts all title and interest in the Agency Property as legally described in Exhibit A attached hereto and incorporated herein by this reference, and as generally referred to for convenience only by their respective Santa Barbara County Assessor's Numbers (APNs) on the following table:

Properties	County Assess	or Parcel Number	r(s)	
Waterfront Properties	017-113-029	017-113-034		
	017-113-030	017-113-035		
Chase Palm Park Expansion	017-680-004	017-680-012		
	017-680-011			
Ortega Water Treatment Facility	031-152-033			
Dailroad Donat	033-010-011	033-042-004		
	033-010-012	033-042-012		
	033-010-013	033-042-014		
	033-010-014	033-042-015		
	033-010-015	033-042-016		
Railroad Depot	033-041-012	033-042-017		
	033-041-013	033-042-019		
	033-042-001	033-075-012		
	033-042-002	033-075-014		
	033-042-003	033-075-015		
Parking Lots	031-151-018	037-132-038	039-321-047	
	033-051-020	037-173-047	039-321-048	
	033-113-014	037-173-049	039-321-051	
	033-113-016	037-173-050	039-321-054	
	033-113-017	037-252-011	039-321-055	
	033-113-018	039-183-046	039-321-056	
	033-113-022	039-183-053		
	033-113-023	039-183-054		
	037-132-035	039-261-009		
	037-132-036	039-321-045		
Paseo Nuevo	037-400-001	037-400-005		
	037-400-002	037-400-006		
	037-400-003	037-400-019		
	037-400-004			
Bath Street Properties	037-113-009			
	037-113-010			

SECTION 4. The Agency Property shall be held and retained by the City in a manner that is consistent with the Multi-Year Cooperation Agreement and the Redevelopment Plan as necessary to facilitate and achieve the ongoing efforts to redevelop, revitalize and eliminate blight in the Project Area.

SECTION 5. The City Administrator, subject to approval by the City Attorney, is authorized to execute any and all grant deeds and other documents as necessary to accept transfer of said Agency Property to the City in accordance herewith.

DESCRIPTION

"Agency Property"

Waterfront Properties

Those certain tracts of real property located within Block 344 and Block 345, in the City of Santa Barbara, County of

Santa Barbara, State of California, according to the Official Map thereof, and that vacated portion of Salsipuedes

Street lying between said Blocks 344 and 345, and that vacated portion of Cacique Street lying between Blocks 344

and 353, described as follows:

Waterfront Parcel - Northwesterly Portion Fronting Calle Cesar Chavez:

Those portions of Block 344, Block 345, and a portion of Salsipuedes Street, sixty (60.00) feet wide (now

abandoned) in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official

Map thereof, being that tract of land described as Parcel One in the Grant Deed to the Redevelopment Agency of

the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said

County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line

parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of

Quarantina Street, sixty (60.00) feet wide; thence, along said parallel line South 47°38'08" East, 664.00 feet

to the True Point of Beginning; thence 1st, continuing along said parallel line South 4738'08" East,

115.00 feet; thence 2nd, leaving said parallel line South 65°35'34" West, 297.85 feet to a point on the

Northeasterly line and 13th course of Parcel 11 described in the deed to American Tradition recorded May 27.

1998, as Instrument No. 98-037738 of Official Records of said County, said point being the beginning of a

non-tangent curve, concave Southwesterly, and having a radius of 600.00 feet, the radial center of which

bears South 65°35'34" West; thence 3 rd, Northwesterly along said curve and Northeasterly line, through a

central angle of 703'59", an arc distance of 74.00 feet to a line passing through the True Point of Beginning,

said line having a bearing of South 58°35'31" West relative to the 1st course described herein; thence 4th,

along said line North 5831'35" East, 259.02 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-029.

Waterfront Parcel – Southeasterly Portion Fronting Calle Cesar Chavez:

County of Santa Barbara, more particularly described as follows:

Those portions of Block 344, Block 345, and a portion of Salsipuedes Street, sixty (60.00) feet wide (now abandoned), in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Two in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence, along said parallel line South 47'38'08" East, 779.00 feet to the True Point of Beginning; thence 1st, continuing along said parallel line South 47'38'08" East, 132.28 feet to a line parallel with and distant Northerly 91.00 feet, measured at right angles, from the Northerly line of the parcel described in the deed to Southern Pacific Company recorded in the Office of the County Recorder of said County on July 20, 1971, in Book 2356, Page 45 of Official Records; thence 2nd, along said parallel line South 72'07'43" West, 357. 82 feet to a point on the Northeasterly line and 13th course of Parcel 11 described in the deed to American Tradition recorded May 27, 1998, as Instrument No. 98-037738 of Official Records of said County, said point being the beginning of a non-tangent curve, concave Southwesterly, and having a radius of 600.00 feet, the radial center of which bears South 73'2 0'06" West; thence 3rd, Northwesterly along said curve and Northeasterly line, through a central angle of 7'44'32", an arc distance of 81.08 feet to a line passing through the True Point of Beginning, said line having a bearing of South 65'35'34" West relative to the 1st course described herein; thence 4th, along said line North 65'35'34" East, 297.85 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-030.

Waterfront Parcel – Northwesterly Portion Fronting Quarantina Street:

That portion of Block 344, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Three in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695,

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of Official Records of said County of Santa Barbara, particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence along said parallel line South 4738'08" East, 779.00 feet to the True Point of Beginning; thence 1st, at right angles to said parallel line, North 4221'52" East, 257.00 feet to said Southwesterly line of Quarantina Street; thence 2nd, along the Southwesterly line of Quarantina Street South 4738'08" East, 115.00 feet; thence 3 rd, at right angles to said Southwesterly line of Quarantina Street South 4221'52" West, 257.00 feet to said parallel line; thence 4th, along said parallel line North 4738'08" West, 115.00 feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-034.

Waterfront Parcel - Southeasterly Portion Fronting Quarantina Street:

Those portions of Block 344 and Cacique Street, sixty (60.00) feet wide (now abandoned), in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Four in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 23, 2001, as Instrument No. 2001-029695, of Official Records of said County of Santa Barbara, particularly described as follows:

Commencing at the intersection of the centerline of Quinientos Street, sixty (60.00) feet wide, with a line parallel with and distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence along said parallel line South 47°38'08" East, 894.00 feet to the True Point of Beginning; thence 1st, at right angles to said parallel line North 42°21 '52" West, 257.00 feet to said Southwesterly line of Quarantina Street; thence 2nd, along the Southwesterly line of Quarantina Street South 47°38'08" East, 164.25 feet to a line parallel with and distant Northerly 91.00 feet, measured at right angles, from the Northerly line of the parcel described in the deed to Southern Pacific Company recorded in the Office of the County Recorder of said County on July 20, 1971, in Book 2356, Page 45 of Official Records; thence 3rd, along said parallel line South 72°07'43" West, 29 6.06 feet to the Southerly prolongation of said parallel line distant Southwesterly 257.00 feet, measured at right angles, from the Southwesterly line of Quarantina Street, sixty (60.00) feet wide; thence 4th, along said parallel line North 47°38'08" West, 17.28

feet to the True Point of Beginning;

And referred to for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-113-035.

Chase Palm Park Expansion Properties

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California,

described as follows:

Chase Palm Park Expansion - Garden Street Access Parcel:

That certain portion of Block 320, and that portion of Quinientos Street (closed), and that portion of Block 336½ in

the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof,

being that tract of real property described as Parcel One in the Grant Deed from the City of Santa Barbara to the

Redevelopment Agency of the City of Santa Barbara recorded on October 10, 1996, as Instrument

No. 96-061814, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the northeasterly line of Santa Barbara Street with a line parallel with and

distant 50.00 feet northwesterly, measured at right angles, from the centerline of the westbound main track

(Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company, as successor of Southern Pacific

Company, as shown on map of survey filed in Book 116, Pages 11 through 16, inclusive, of Record of

Surveys in the Office of the County Recorder of said County; thence N. 71°12'17" E., along said parallel line,

a distance of 209.30 feet to the beginning of a non-tangent curve, concave easterly, the radial center of which

bears N. 76°44'43" E., a distance of 248.00 feet; thence southeasterly along the arc of said curve through a

central angle of 5°32'26", an arc length of 23.98 feet; thence S. 18°47'43" E., a distance of 92.06 feet to the

intersection with the northerly line of the tract of land described in the Deed to the City of Santa Barbara

recorded January 11, 1977, as Reel No. 77-1510 of Official Records of said County, being the True Point of

Beginning, said land being shown together with other land on a Map of Survey filed in Book 114, Page 22 of

Record of Surveys in the Office of the County Recorder of said County, said Point being the northwesterly

corner of Parcel 3 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed

in Book 51 of Parcel Maps, at Pages 91 through 96, records of said County, said Point also being a point on

the northeasterly line of Garden Street, as it now exists; thence 1st, N. 71°12'17" E., along the northerly line of

said Parcel 3 of Parcel Map No. 20,587 a distance of 352.00 feet; thence 2nd, N. 1847'43" W., leaving the northwesterly line of said Parcel 3 of Parcel Map No. 20,587 a distance of 24.00 feet to the intersection with a line parallel with and distant 24.00 feet northwesterly, measured at right angles, to Course No. 1 hereinabove described; thence 3rd, S. 71°12'17" W., along said last described parallel line a distance of 352.00 feet to the intersection with the northeasterly line of Garden Street, as it now exists; thence 4th, along the northeasterly line of Garden Street, S. 1847'43" E., a distance of 24.00 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-004.

Chase Palm Park Expansion – 321 East Cabrillo Boulevard – Parkland Parcel:

That certain tract of real property in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

Parcel 2 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-011.

Chase Palm Park Expansion – 223 East Cabrillo Boulevard – Parkland Parcel:

That certain tract of real property in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

Parcel 3 of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 017-680-012.

220 East Ortega Street Water Treatment Facility Property:

A certain portion of Block 208 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, said portion being a portion of that tract of land described in the Grant Deed from the City of

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Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on September 9, 2005, as Instrument No. 2005-0088013 of Official Records of said County of Santa Barbara, and said portion being that tract of land described as "Agency's Adjusted Parcel" in that certain Agreement Relating to Lot Line Adjustment, Quitclaim Deeds and Acceptance Thereof executed by and to The Redevelopment Agency of the City of Santa Barbara recorded on October 31, 2006, as Instrument No. 2006-0085063, of Official Records of said County of Santa Barbara, being more particularly described as follows:

Commencing at the most westerly corner of said Block 208, being the intersection of the southeasterly line of Ortega Street with the northeasterly line of Santa Barbara Street; Thence N 41°29′54″ E, along said so utheasterly line of Ortega Street, a distance of 254.41 feet to the northwesterly terminus of the line described in the Quitclaim Deed from Browning Ferris Industries to the City of Santa Barbara recorded March 20, 1978, as Instrument No. 12341 of Official Records of said County (said line is shown on the map filed in Book 110, Page 47 of Record of Surveys), being the True Point of Beginning; Thence 1st, along said line, S 48°30′19″ E, a distance of 160.97 feet, more or less, to a point on the northwesterly line of Parcel A of Parcel Map No. 20678 as shown on the map filed in Book 57, Pages 27 through 29, inclusive, of Parcel Maps in the office of the County Recorder of said County; thence 2nd, along said northwesterly line of Parcel A, N 41°3 0′33″ E, a distance of 36.26 feet, more or less, to an angle point therein; thence 3rd, leaving said northwesterly line, N 21°55′52″ E, a distance of 33.97 feet; thence 4th, N 48°28′18″ W, a distance of 19.90 feet; thence 5th, N 41°31′42″ E, a distance of 129.10 feet, more or less, to a point on the southwesterly line of Garden Street; thence 6th, along said southwesterly line of Garden Street, N 48°29′55″ W, a distance of 129.77 feet, m ore or less, to the most northerly corner of said Block 208; thence 7th, S 41°29′54″ W, along said southeasterly line of Ortega Street, a distance of 197.40 feet, more or less, to the True Point of Beginning:

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 031-152-033.

Railroad Depot Properties:

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California, described as follows:

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Railroad Depot – 220 Chapala Street at State Street Frontage:

That portion of Block 288 of the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map of said City, being that tract of real property described as Parcel One in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995, as Instrument No. 95-033463, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the point of intersection of the Northwesterly line of Yanonali Street with the Southwesterly line of State Street, said point being the most Easterly corner of said Block 288; thence Northwesterly along said Southwesterly line of State Street, 210 feet, more or less, to the most Northerly corner of the parcel of land described secondly in deed dated June 19, 1903, from William Oothout, Jr., to Southern Pacific Company recorded September 16, 1903, in Book 92 of Deeds, Page 391, records of said County; thence Southwesterly at right angles to said line of State Street and along the Northwesterly line of said Parcel described secondly in said deed, a distance of 130.00 feet; thence Northwesterly parallel with said line of State Street being also along the Northeasterly line of a vacated alley, a distance of 90.00 feet; thence Southwesterly parallel with the Northwesterly line of Yanonali Street and along the Northwesterly line of said vacated alley, 170.00 more or less, to a point in the northeasterly line of the 0.207 acre parcel of land described in deed dated March 23, 1904, from Nicolia Bocarich to the Southern Pacific Company, recorded March 24, 1904, in Book 95 of Deeds, Page 226, records of said County; thence Northwesterly along last said Northeasterly line, 10.00 feet, more or less, to the most Northerly corner of said 0.207 acre parcel; thence Southwesterly along the Northwesterly line of last said parcel, 150.00 feet to the Northeasterly line of Chapala Street; thence Southeasterly along last said street line 310 feet, more or less, to its intersection with the Northwesterly line of Yanonali Street, above referred to, said point being the most Southerly corner of said Block 288; thence Northeasterly along last said Street line, 450 feet, more or less, to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-011, Santa Barbara County Assessor's Parcel Number APN 033-041-013, and Santa Barbara County Assessor's Parcel Number APN 033-042-012.

Railroad Depot - 125 State Street:

That portion of Block 306 of the City of Santa Barbara, County of Santa Barbara, State of California, according to

the Official Map of said City, being that tract of real property described as Parcel Two in the Grant Deed to the

Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995, as Instrument No. 95-033463,

of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the point of intersection of the Southeasterly line of Yanonali Street with the Southwesterly line

of State Street, as shown on said map, said point being the most Northerly corner of said Block 306; thence

Southeasterly along said Southwesterly line of State Street, 150.00 feet; thence Southwesterly, parallel with

said Southeasterly line of Yanonali Street, 200.00 feet to the Northeasterly line of Kimberly Avenue; thence

Northwesterly along said last mentioned street line, 150.00 feet to its intersection with said Southeasterly line

of Yanonali Street; thence Northeasterly along said last mentioned street line 200.00 feet to the point of

beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-010-012, Santa Barbara County Assessor's Parcel Number APN 033-042-016, and Santa Barbara

County Assessor's Parcel Number APN 033-075-012.

Railroad Depot – 225 Chapala Street at Mission Creek:

Those portions of Blocks 289 and 290 of the City of Santa Barbara, in the City of Santa Barbara, County of Santa

Barbara, State of California, and of De La Vina Street (closed up and abandoned), lying between said Blocks 289

and 290 of said City, according to the Official Map, being that tract of real property described in whole as Parcel

Three in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on June 21, 1995,

as Instrument No. 95-033463, of Official Records of said County of Santa Barbara, more particularly described as

follows:

Beginning at the point of intersection of the Southeasterly line of Montecito Street (60 feet wide) with the

Southwesterly line of Chapala Street (60 feet wide), being the most Northerly corner of said Block 289;

thence Southeasterly along said Southwesterly line of Chapala Street 336.68 feet, more or less, to an iron

pipe set in said line of Chapala Street at the most Easterly corner of the tract of land described in deed to

Southern Pacific Company, a Kentucky corporation, recorded September 10, 1904, in Book 99, Page 363 of

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Deeds, records of said County; thence Southwesterly along the Southeasterly line of said last mentioned tract of land 679.35 feet, more or less, to the most Westerly corner of said last mentioned tract of land and a point in said Southeasterly line of Montecito Street, hereinbefore referred to; thence Northeasterly along said last mentioned street line, 589.96 feet, more or less, to the point of beginning; EXCEPTING THEREFROM that portion of land described in deed to the City of Santa Barbara recorded January 11, 1977, as Reel No. 77-1512 of Official Records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-013, and Santa Barbara County Assessor's Parcel Number APNs 033-042-017.

Railroad Depot - Vacated Chapala Street at Montecito Street:

That certain portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel One in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most northerly corner of Block 289 of the City of Santa Barbara, according to the Official Map thereof, being the intersection of the southeasterly line of Montecito Street and the southwesterly line of Chapala Street as shown on the Official Map; thence northeasterly along said southeasterly line of Montecito Street 60.0 feet to its point of intersection with the northeasterly line of Chapala Street, said point also being the most westerly corner of Block 288; thence southeasterly along said northeasterly line of Chapala Street 245 feet, more or less, to the northwesterly corner of the railroad right of way in Block 288 as reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, said northwesterly corner of railroad right of way being also referred to for reference purposes only as "Point X"; thence leaving said northeasterly line of Chapala Street, northwesterly along the northwesterly prolongation of the northerly line of said railroad right of way a distance of 69 feet, more or less, to its intersection with the southwesterly line of

Chapala Street, said point being the northeasterly corner of the railroad right of way in Block 289 reserved in said Corporation Grant Deed, and said northeasterly corner being also referred to for reference purposes herein as "Point Y"; thence northwesterly along said southwesterly line of Chapala Street 210 feet, more or less, to its point of intersection with the southeasterly line of Montecito Street, said point being also the most northerly corner of said Block 289 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APN 033-042-014.

Railroad Depot - Vacated Chapala Street at Railroad Tracks:

That certain portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel Two in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at a point on the northeasterly line of Chapala Street, distant thereon 245 feet, more or less, southeasterly from the most westerly corner of Block 288 of the City of Santa Barbara, according to the Official Map thereof, said point being the northwesterly corner of the railroad right of way in Block 288 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, said northwesterly corner being also referred to for reference purposes hereinabove as "Point X"; thence continuing southeasterly along said northeasterly line of Chapala Street 105 feet, more or less, to the southwesterly corner of said railroad right of way in Block 288 reserved in said Corporation Grant Deed, said southwesterly corner being also referred to for reference purposes only as "Point Z"; thence leaving said northeasterly line of said Chapala Street, northwesterly along the northwesterly prolongation of the southerly line of said railroad right of way reserved in said Corporation Grant Deed a distance of 69 feet, more or less, to its intersection with the southwesterly line of Chapala Street, said point being the southeasterly corner of

the railroad right of way in Block 289 reserved in the above mentioned Corporation Grant Deed, and said point being also referred to for reference purposes only herein as "Point ZZ"; thence northwesterly along said southwesterly line of Chapala Street 105 feet, more or less, to the northeasterly corner of said railroad right of way in Block 289 reserved in said Corporation Grant Deed, said point being also referred to for reference purposes hereinabove described as "Point Y"; thence leaving said southwesterly line of Chapala Street, southeasterly along the southeasterly prolongation of said northerly line of said railroad right of way a distance of 69 feet, more or less, to "Point X" on the northeasterly line of Chapala Street and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-014.

Railroad Depot - Vacated Chapala Street at Yanonali Street:

That certain tract portion of Chapala Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Chapala Street being that tract of land described as Parcel Three in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most southerly corner of Block 288 of the City of Santa Barbara, as shown on the Official Map thereof, being the intersection of the northeasterly line of Chapala Street and the northwesterly line of Yanonali Street; thence southwesterly along the northwesterly line of Yanonali Street a distance of 60.0 feet to its point of intersection with the southwesterly line of Chapala Street; thence northwesterly along said southwesterly line of Chapala Street a distance of 140 feet, more or less, to the southeasterly corner of the railroad right of way in Block 289 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County, and said point being also referred to for reference purposes hereinabove as "Point ZZ"; thence leaving said southwesterly line of Chapala Street, southeasterly along the southeasterly

prolongation of the southerly line of said railroad right of way a distance of 69 feet, more or less, to its intersection with the northeasterly line of Chapala Street, said point being the southwesterly corner of the railroad right of way in Block 288 reserved in the above mentioned Corporation Grant Deed by Southern Pacific Transportation Company, and said point being also referred to for reference purposes hereinabove as "Point Z"; thence southeasterly along said northeasterly line of Chapala Street a distance of 105 feet, more or less, to its point of intersection with the northwesterly line of Yanonali Street, said point being also the most southerly corner of Block 288 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-041-012.

Railroad Depot - Vacated Yanonali Street at State Street:

That certain portion of Yanonali Street, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, vacated by Resolution No. 96-136 of the Council of the City of Santa Barbara, a copy of which was recorded on December 4, 1996, as Instrument No. 96-072319, of Official Records of said County, said vacated portion of Yanonali Street being that tract of land described as Parcel Four in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on January 17, 1997, as Instrument No. 97-002986, of Official Records of said County, more particularly described as follows:

Beginning at the most easterly corner of Block 288 in the City of Santa Barbara, according to the Official Map thereof, being the intersection of the southwesterly line of State Street and the northwesterly line of Yanonali Street; thence southeasterly along said southwesterly line of State Street 60.0 feet to its point of intersection with the southeasterly line of Yanonali Street, said point of intersection also being the most northerly corner of Block 306; thence southwesterly along said southeasterly line of Yanonali Street a distance of 23 feet, more or less, to the northwesterly corner of the railroad right of way in Block 306 reserved in the Corporation Grant Deed by Southern Pacific Transportation Company to Martin V. Smith, recorded March 26, 1993, as Instrument No. 93-022717 of Official Records, records of said County; thence continuing southwesterly along said southeasterly line of Yanonali Street a distance of 140 feet, more or less, to the southwesterly corner of

the railroad right of way in Block 306 reserved in said Corporation Grant Deed by Southern Pacific Transportation Company; thence continuing southwesterly along said southeasterly line of Yanonali Street a distance of 38 feet, more or less, to the most northerly corner of the street easement for Kimberly Avenue, as shown on the map of City Block No. 306 and described in City Ordinance No. 826; thence leaving said southeasterly line of Yanonali Street, northwesterly along the northwesterly prolongation of the northeasterly line of said Kimberly Avenue a distance of 22 Feet, more or less, to its intersection with the southwesterly prolongation of the southerly line of the said railroad right of way in Block 306 reserved in said Corporation Grant Deed; thence southwesterly along the northwesterly prolongation of said southerly line of said railroad right of way a distance of 77 feet, more or less, to its intersection with the northwesterly line of Yanonali Street, said point of intersection being the southeasterly corner of said railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly corner of the railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly corner of the railroad right of way in Block 288 reserved in said Corporation Grant Deed; thence northeasterly corninuing along said northwesterly line of Yanonali Street a distance of 128 feet, more or less, to its point of intersection with the southwesterly line of Yanonali Street a distance of 128 feet, more or less, to its point of intersection with the southwesterly line of Yanonali Street a distance of 128 feet, more or less, to its point of intersection with the southwesterly line of Yanonali Street, said point also being the most easterly corner of Block 288 and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-010-015 and Santa Barbara County Assessor's Parcel Number APN 033-042-015.

Railroad Depot - 35 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel One in that certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as Instrument No. 94-038853, of Official Records, records of said County, more particularly described as follows:

Beginning at the most westerly corner of said Block 288, being the intersection of the southeasterly line of Montecito Street with the northeasterly line of Chapala Street; thence northeasterly along said line of Montecito Street 60 feet; thence at right angles southeasterly 140 feet; thence at right angles southwesterly 60 feet to the northeasterly line of Chapala Street; thence northwesterly along said line of Chapala Street 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-001.

Railroad Depot - 29 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara,

State of California, according to the Official Map thereof, being that tract of land described as Parcel Two in that

certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as

Instrument No. 94-038853, of Official Records, records of said County, more particularly described as follows:

Beginning at a point on the southeasterly line of Montecito Street, distant thereon 60 feet northeasterly from

the most westerly corner of said Block; thence northeasterly along said line of Montecito Street 30 feet;

thence at right angles southeasterly 140 feet; thence at right angles southwesterly 30 feet; thence at right

angles northwesterly 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-002.

Railroad Depot - 25 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara,

State of California, according to the Official Map thereof, being that tract of land described as Parcel One in that

certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as

Instrument No. 94-038852, of Official Records, records of said County, more particularly described as follows:

Beginning on the southeasterly line of Montecito Street 90 feet northeasterly from the northeasterly line of

Chapala Street; thence northeasterly along said line of Montecito Street 40 feet; thence at right angles

southeasterly 140 feet; thence at right angles southwesterly 40 feet; thence at right angles northwesterly 140

feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-003.

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Railroad Depot - 23 West Montecito Street:

That certain tract of real property located within Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel Three in that certain Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on May 9, 1994, as Instrument No. 94-038852, of Official Records, records of said County, more particularly described as follows:

Beginning at a point on the southeasterly line of Montecito Street distant thereon 130 feet northeasterly from the most westerly corner of said Block; thence northeasterly along said line of Montecito Street 40 feet; thence at a right angle southwesterly 20 feet; thence at a right angle northwesterly 10 feet; thence at a right angle southwesterly 20 feet; thence at a right angle northwesterly 140 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-042-004.

Railroad Depot - 235 State Street:

That portion of Block 288, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, referred to for convenience as Parcel DD4334-01-01 (05-SB-101 Post Mile 13.8) in the Director's Deed by the State of California, acting by and through its Director of Transportation (Caltrans), to the Redevelopment Agency of the City of Santa Barbara recorded on January 29, 2001, as Instrument No. 2001-0006319, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the southwesterly side line of State Street distant S 47°35′42″ E, 117.05 feet along said line from the most northerly corner of said Block on the southeasterly line of Montecito Street; thence (1), along said side line S 47°35′42″ E, 13.60 feet to the point of intersection with that southeasterly 180 foot boundary course of the land in said Block described in Section B of the Decree of Final Distribution filed with said County as Document 83-3336; thence (2), along said record course common to that Enterprise Laundry Co. tract referred to in said Decree S 42°24′18″ W, 167.98 feet; thence (3), N 47°36′08″ W, 121.44 feet; thence (4), N 44°48′46″ E, 141.40 feet; thence (5), S 67°40′13″ E, 71.49 feet; thence (6), S 51°11′34″ E, 34.83 feet to the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 033-042-019.

Parking Lot Properties:

Those certain tracts of real property located in the City of Santa Barbara, County of Santa Barbara, State of California,

described as follows:

Commuter Parking Lot – 119 East Cota Street at Santa Barbara Street:

All that portion of Block 209, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown

on the Official Map of said City, being that tract of land described in the Quitclaim Deed from the City of Santa

Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on September 20, 1984, as

Instrument No. 1984-051149, of Official Records of said County of Santa Barbara, more particularly described as

follows:

Beginning at the most southerly corner of said Block 209; thence North 4129'17" East 146.13 feet alon g the

northeasterly line of Cota Street to the True Point of Beginning; thence the following courses and distances

as follows: 1st, continuing North 4129'17" East 310.36 feet to the most easterly corner of said Block 209; 2nd,

North 48°29'45" West 225.76 feet along the southwes terly line of Santa Barbara Street to the most easterly

corner of the tract of land described in the Grant Deed to the State of California filed March 20, 1962, in

Book 1911 at Page 676 of Official Records, Santa Barbara County; 3rd, South 41°29'55" West 310.40 feet

along the southeasterly boundary of said State of California tract and its southwesterly extension to a point on

the southeasterly boundary of the tract of land described as Parcel One in the Grant Deed to Melni

Investments filed for record December 15, 1977, as Reel No. 77-61734 of Official Records, Santa Barbara

County, said point being 146.13 feet distant on said boundary from the northeasterly line of Anacapa Street;

4th, South 48°30'30" East 225.82 feet to the True Poin t of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 031-151-018.

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Parking Lot – 217 Helena Avenue:

A portion of Block 287, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown on the Official Map of said City, being a portion of that certain tract of real property granted to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded on September 8, 1994, as Instrument No. 94-068906, of Official Records, in the Office of the County Recorder of Santa Barbara County, State of California, said portion being described as the "Parking Parcel" on Exhibit C2 attached to that certain Reciprocal Easement Agreement recorded on December 30, 1998, as Instrument No. 98-102122 of Official Records of said County, said portion being more particularly described as follows:

Commencing at a point on the southwesterly line of Helena Avenue, distant S. 47°35'41" E., 7.91 feet from the southeasterly line of Montecito Street; thence S. 47°35'41" E., along the southwesterly line of He lena Avenue, a distance of 135.40 feet to the True Point of Beginning; thence 1st, S. 42°24'19" W., a distance of 67.00 feet: thence 2nd, S. 47°35'41" E., a distance of 11.00 feet; thence 3rd, S. 42°24'19" W., a distance of 79.70 feet; thence 4th, S. 47°35'41" W., a distance of 17.00 feet; thence 5th, S. 42°24'19" W., a distance of 27.84 feet to a point in the southwesterly line of said City of Santa Barbara Redevelopment Agency parcel, said point also being the beginning of a non-tangent curve, concave southwesterly, having a radius of 1052.00 feet, a radial center of which bears S. 39°07'16" W., and a delta of 3°19'33"; thence 6 th, southeasterly along the arc of said curve and said southwesterly line of Santa Barbara Redevelopment Agency parcel, a distance of 61.06 feet; thence 7th, S. 47°35'34" E., along said southwesterly line of Santa Barbara Redevelopment Agency parcel, a distance of 26.97 feet to a point in the southeasterly line of Parcel Three described in a Grant Deed to the State of California recorded April 22, 1987, as Instrument No. 87-029384, of Official Records of said County, at a point distant N. 42°24'19" E., 27.19 feet alon g said line from the most southerly corner of said Parcel Three on the northeasterly line of State Street; thence, 8th, N. 42°24'19" E., along said southeasterly line of Parcel Three, a distance of 45.66 feet; thence 9th, N. 47°35'41" W., along said southeasterly line of Parcel Three, a distance of 3.50 feet; thence 10th, N. 42°24'19" E., along said southeasterly line of P arcel Three, a distance of 127.15 feet to the southwesterly line of Helena Avenue; thence 11th, N. 4735'41" W., along said southwesterly line of Helena Avenue, a distance of 78.50 feet to the Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-051-020.

Parking Lot - Mason Street at Santa Barbara Street:

A portion of Block 321, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel One in that Corporation Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on December 30, 1992, as Instrument No. 92-104284, of Official Records of said County, together with a portion of Santa Barbara Street, vacated and described as Parcel Two in Resolution No. 95-178 of the Council of the City of Santa Barbara, a copy of which was recorded on December 18, 1998, as Instrument No. 98-098974 of Official Records of said County, said portion of Santa Barbara Street also being described as Parcel Two in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996, as Instrument No. 96-008734, of Official Records of said County, said portion of Block 321 and vacated portion of Santa Barbara Street being more particular described together as a whole as follows:

Parcel 2 as shown on Redevelopment Parcel Map No. 20,626, according to the map thereof recorded on January 24, 2001, filed in Book 55 of Parcel Maps, at Pages 14 through 17, inclusive, records of said County; And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-113-014, and sometimes including Santa Barbara County Assessor's Parcel Number APN 033-113-022.

Parking Lot - Garden Street at Cabrillo Boulevard:

Those portions of Block 320 and 321, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, together with a portion of Santa Barbara Street lying between said Blocks 320 and 321 of said City, as vacated and described as Parcel Three in Resolution No. 95-178 of the Council of the City of Santa Barbara, a copy of which was recorded on December 18, 1998, as Instrument No. 98-098974 of Official Records of said County, and being that tract of land described as Parcel Three in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996,

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as Instrument No. 96-008734, of Official Records of said County, said portions of Block 320, Block 321 and vacated Santa Barbara Street being more particular described together as a whole as follows:

Parcel 4A and Parcel 4B of Parcel Map No. 20,587, according to the map thereof recorded on August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 033-113-016 and -017, and sometimes including Santa Barbara County Assessor's Parcel Number APN 033-113-023.

Parking Lot - Garden Street at Railroad Tracks:

That certain portion of Block 320, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that parcel described as Parcel Two in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on October 10, 1996, as Instrument No. 96-061814, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the intersection of the northeasterly line of Santa Barbara Street with a line parallel with and distant 50.00 feet northwesterly, measured at right angles, from the centerline of the westbound main track (Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company, as successor of Southern Pacific Company, as shown on map of survey filed in Book 116, Pages 11 through 16, inclusive, of Record of Surveys in the Office of the County Recorder of said County; thence N. 71°12'17" E., along said last mentioned parallel line, a distance of 209.30 feet to the beginning of a curve concave easterly, the radial center of which bears N. 76°44'43" E., a distance of 248 feet; thence southeasterly along the arc of said curve through a central angle of 5°32'26", a arc length of 23.98 feet; thence S. 18°47'34" E., a distance of 92.06 feet to the intersection with the northerly line of the tract of land described in the Deed to the City of Santa Barbara recorded January 11, 1977, as Reel No. 77-1510 of Official Records of said County, said land being shown together with other land on a Map of Survey filed in Book 114, Page 22 of Record of Surveys in the Office of the County Recorder of said County; thence S. 71°12'17" W., along the northerly line of said City of Santa Barbara tract of land a distance of 104.00 feet to the True Point of Beginning, said Point now being the northeasterly corner of Parcel 4A of Parcel Map No. 20,587, according to the map thereof recorded on

August 9, 1996, filed in Book 51 of Parcel Maps, at Pages 91 through 96, inclusive, records of said County, said Point also being a point on the southwesterly line of Garden Street, as it now exists; thence 1st, N. 1847'43" W., a distance of 37.04 feet, along the southwesterly line of said Garden Street, to the intersection with a line parallel with and distant 29.00 feet, southeasterly, measured at right angles, from the centerline of the westbound main track (Santa Barbara-Los Angeles) owned by Union Pacific Railroad Company; thence 2nd, S. 71°12'17" W., along said last mentioned parall el line, a distance of 59.10 feet to the intersection with the northeasterly line of the vacated portion of Santa Barbara Street described as Parcel Three in Resolution No. 95-178 of the Council of the City of Santa Barbara, a copy of which was recorded on December 18, 1998, as Instrument No. 98-098974 of Official Records of said County, said point being the northeasterly corner of the tract of land described as Parcel Three in the Grant Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 13, 1996, as Instrument No. 96-008734, of Official Records of said County; thence 3rd, S. 48°30'00" E., along the northeasterly line of said Parcel Three in the Grant Deed recorded as Instrument No. 96-008734 of Official Records, a distance of 42.64 feet, to the northwesterly corner of Parcel 4A of said Parcel Map No. 20,587; thence 4th, N. 71°12'17" E., along the northerly line of Parc el 4A of said Parcel Map No. 20,587, a distance of 37.97 feet to the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 033-113-018.

Parking Structure Lot 10 - Ortega Street at Anacapa Street:

Those certain tracts of real property located within Block 210, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, more particularly described as follows:

Lot 1, Lot 2 and Lot 4 of Parcel Map No. 20,512, according to the map thereof recorded on October 20, 1989, filed in Book 44 of Parcel Maps, at Pages 44 through 47, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 037-132-035, -036 and -038.

Parking Lot 11 - Paseo at State Street:

That portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on March 24, 1988, as Instrument No. 88-017302, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the northeasterly line of State Street 227 feet northwesterly from the south corner of said Block 229; thence northwesterly along said line of State Street 10 feet; thence at a right angle northeasterly 100 feet; thence at right angles southeasterly 10 feet; thence at a right angle southwesterly 100 feet to the place of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-047.

Parking Lot 11 - Paseo at Cota Street:

That portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described as Parcel One in the Quitclaim Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded on February 24, 1994, as Instrument No. 94-016675, of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at the most westerly corner of that certain parcel of land conveyed by deed to the City of Santa Barbara, recorded on January 28, 1960, as Instrument No. 3006, in Book 1710, at Page 59 of Official Records, being a point on the southeasterly line of Cota Street, thence the following courses and distances as follows: 1st, northeasterly along the southeasterly line of Cota Street a distance of 12.00 feet to the most northerly corner of said tract of City of Santa Barbara; 2nd, at right angles to said southeasterly line of Cota Street, southeasterly along the northeasterly line of said tract of City of Santa Barbara, a distance of 125.00 feet, more or less, to the southerly corner of that certain parcel of land conveyed by deed recorded April 17, 1889, in Book 24 of Deeds at Page 265, records of said County; 3rd, at right angles, parallel with the southeasterly line of said Cota Street, southwesterly a distance of 12.00 feet to a point on the southwesterly

line of said tract of City of Santa Barbara, said point being southeasterly a distance of 125.00 feet, measured at right angles, from the southeasterly line of Cota Street; 4th, at right angles, northwesterly a distance of 125 feet to the southeasterly line of Cota Street and the point of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-049.

Parking Lot 11 - Haley Street at Anacapa Street:

All that portion of Block 229, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Certificate of Voluntary Merger executed by the Redevelopment Agency of the City of Santa Barbara and recorded on April 28, 1994, as Instrument No. 94-036347, of Official Records of said County of Santa Barbara, more particularly described as follows:

Commencing at the most southerly corner of said Block 229; thence northwesterly along the northeasterly line of State Street, a distance of 227.00 feet to the most southerly corner of that certain parcel of land described in the deed to Charles Craviotto recorded December 18, 1965, as Instrument No. 42605, in Book 2130 at Page 1330 of Official Records in the Office of the County Recorder of Santa Barbara County; thence at right angles, northeasterly into said Block 229 along the southeasterly line of said Craviotto tract of land to the most easterly corner of said Craviotto tract, said point also being in the southwesterly line of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County, said point being the True Point of Beginning; thence the following courses and distance as follows: 1st, northwesterly along said southwesterly line of said Redevelopment Agency tract to the most westerly corner of "Parcel One" as described in said Grant Deed recorded as Instrument No. 23114 of Official Records of said County; 2nd, northeasterly along the northwesterly line of said Redevelopment Agency tract a distance of 28.50 feet to the most southerly corner of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 13, 1983, as Instrument No. 83-23705 of Official Records of said County; 3rd, northwesterly along the southwesterly line of said last mentioned Redevelopment Agency tract a distance of 45.04 feet, more or less, to the most westerly corner thereof, said corner being also a point in the southeasterly line of that certain parcel of land conveyed to Ralph C. McColm and Sophia A. McColm,

as Trustees, by Grant Deed recorded February 14, 1972, as Instrument No. 4898 in Book 2386 at Page 516 of Official Records of said County; 4th, northeasterly along said southeasterly line of McColm tract a distance of 128.14 feet, more or less, to a point in the southwesterly line of an alley, 12 feet in width, as described by deed to William Ealand recorded January 10, 1874, in Book L of Deeds at Page 459, records of Santa Barbara County, said alley also being that certain parcel of land conveyed to the City of Santa Barbara by deed recorded January 28, 1960, as Instrument No. 3006 in Book 1710 at Page 59, Official Records of said County, being also that alley vacated and abandoned by Resolution No. 86-223 of the Council of the City of Santa Barbara, a copy of which was recorded on December 11, 1986, as Instrument No. 1986-081512 of Official Records of said County, said point being the most northerly corner of that Redevelopment Agency tract described in deed recorded as Instrument No. 83-23705 of Official Records of said County, and being southeasterly a distance of 135.00 feet, measured at right angles, from the southeasterly line of Cota Street; 5th, northwesterly along the southwesterly line of said alley a distance of 10.00 feet, more or less, to the most southerly corner of that tract of land describe as "Parcel One" in the Quitclaim Deed from the City of Santa Barbara to the Redevelopment Agency of the City of Santa Barbara recorded February 24, 1994, as Instrument No. 94-016675 of Official Records of said County, being also the most westerly corner of that tract of land described as "Parcel Two" in said Quitclaim Deed to the Redevelopment Agency; 6th, northeasterly along the southeasterly line of said Redevelopment Agency tract described as Parcel One in said Quitclaim Deed, a distance of 12.00 feet, more or less, to the most easterly corner of said Redevelopment Agency tract described in said Quitclaim Deed, being also the most westerly corner of that tract of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County, and being the southerly corner of that certain parcel of land conveyed by deed recorded April 17, 1889 in Book 24 of Deeds at Page 265, records of said County; 7th, northeasterly, parallel with Cota Street, along the southeasterly line of last mentioned parcel of land described in deed recorded in Book 24 of Deeds at Page 265, a distance of 45.00 feet, more or less, to a point in the southwesterly line of land formerly owned by B.L. Sprague, conveyed by deed recorded February 3, 1873, in Book K of Deeds at Page 92, records of said County; 8th, at right angles, southeasterly along said southwesterly line of Sprague tract, a distance of 25.00 feet to the southerly corner thereof; 9th, at right angles, northeasterly along the southeasterly line of lands formerly owned by B.L. Sprague, Francis Loomis,

and Delfino Carrillo, a distance of 50.00 feet, more or less, to a point in the southwesterly line of that certain parcel of land conveyed to Louis Miratti and wife by deed recorded in Book 201 of Deeds at Page 346, records of said County; 10th, southeasterly along said southwesterly line of Miratti tract, a distance of 12.50 feet, more or less, to the westerly corner of that certain tract of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Quitclaim Deed recorded December 28, 1982, as Instrument No. 82-54340 of Official Records of said County; 11th, northeasterly along the northwesterly line of said Redevelopment Agency tract, a distance of 91.00 feet, more or less, to a point in the southwesterly line of Anacapa Street, said point being also distant 163.00 feet southeasterly from the most northerly corner of said Block 229: 12th. southeasterly along said southwesterly line of Anacapa Street, a distance of 170.00 feet, more or less, to the most northerly corner of that certain parcel of land described as "Parcel One" in the Grant Deed to Abraham Safina, Mike Safina and William Safina recorded August 10, 1979 as Instrument No. 79-37378 of Official Records of said County; 13th, southwesterly along the northwesterly line of said Safina tract, a distance of 120.00 feet to the most westerly corner of that certain tract of land described as "Parcel Three" in the Grant Deed to Safina recorded as Instrument No. 79-37378 of Official Records of said County, being also the most northerly corner of "Parcel Two" of that certain tract of land to the Redevelopment Agency of the City of Santa Barbara described in the Final Order of Condemnation recorded June 22, 1992, as Instrument No. 92-047615 of Official Records of said County; 14th, southeasterly along the northeasterly line of said Redevelopment Agency tract, a distance of 120.00 feet, more or less, to a point in the northwesterly line of Haley Street, said point being the most easterly corner of that certain tract of land described in the Final Order of Condemnation recorded as Instrument No. 92-047615 of Official Records of said County: 15th, southwesterly along said northwesterly line of Haley Street to the southerly corner of that certain tract of land described in the Final Order of Condemnation recorded as Instrument No. 92-047615 of Official Records of said County, being also the most southerly corner of that certain parcel of land describe in the Indenture to John Walcott recorded June 17, 1903 in Book 91 of Deeds at Page 454, records of said County; 16th, at right angles, northwesterly along the southwesterly line of said Walcott tract, a distance of 137.00 feet to the most easterly corner of that certain parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded August 30, 1983, as Instrument No. 83-45945 of Official Records of said County: 17th, southwesterly along the southeasterly line of the last mentioned Redevelopment Agency tract and the northwesterly line of that certain parcel of land conveyed to Faulding Properties by deed recorded August 27, 1986, as Instrument No. 1986-054261 of Official Records of said County, a distance of 105.00 feet, more or less, to the most westerly corner of said Faulding Properties tract, said corner being also the most southerly corner of that aforementioned parcel of land conveyed to the Redevelopment Agency of the City of Santa Barbara by Grant Deed recorded May 11, 1983, as Instrument No. 83-23114 of Official Records of said County; 18th, northwesterly along the southwesterly line of the last mentioned Redevelopment Agency tract, a distance of 90.00 feet, more or less, to the most easterly corner of the aforementioned tract of land conveyed to Craviotto by deed recorded in Book 2130 at Page 1330 of Official Records of said County, being the True Point of Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-173-050.

Parking Lot 12 - Gutierrez Street at State Street:

All that portion of Block 269, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being that tract of land described in the Certificate of Voluntary Merger executed by the Redevelopment Agency of the City of Santa Barbara recorded November 20, 1991, as Instrument No. 91-078060 of Official Records of said County of Santa Barbara, more particularly described as follows:

Beginning at a point on the Southeasterly line of Gutierrez Street, said point being the most northerly corner of the parcel of land described in the Individual Grant Deed from Donald A. Hughes to the Redevelopment Agency of the City of Santa Barbara recorded as Instrument No. 1985-021801 in the Office of the County Recorder of said County, said point also being shown as 52.00 feet left of State Street Station 14+06.74 on the State of California Business and Transportation Agency Department of Transportation Right of Way Map of the Crosstown Freeway, State Street Undercrossing of SB Route 101, at Post Mile 13.8A, Sheet No. 2 of 2 Sheets (November 1987 Revision), hereinafter to be referred to as "Right of Way Map"; thence 1st, along the most northeasterly line of Parcel 3544-3 as shown on said Right of Way Map, South 42°47'34" East 8.19 feet to a point lying 52.00 feet left of State Street Station 13+98.55 as shown on said Right of Way Map, said point also being the beginning of a curve of Radius 2052.00 feet concave northeasterly and concentric with the centerline of State Street as shown on said Right of Way Map; thence 2nd, continuing southeasterly along the

northeasterly line of said Parcel 3544-3 along the arc of said 2052.00 foot radius curve through a central angle of 0236'08" a length of 93.19 feet to the most easterly corner of the parcel of land described in said Individual Grant Deed, said point also being the most northerly corner of Parcel 3543-3 as described in Exhibit "A" of Resolution No. 731 of the Redevelopment Agency of the City of Santa Barbara dated June 17, 1986; thence 3rd, continuing southeasterly along the arc of said 2052.00 foot radius curve and the most northeasterly line of said Parcel 3543-3 through a central angle of 0247'34" a length of 100.02 feet to the most easterly corner of said Parcel 3543-3, said point also lying on the northwesterly line of the tract of land (now known as Parker Way) described in the document filed in Book 209, at Page 385 of Deeds in the Office of the County Recorder and as shown on said Right of Way Map; thence 4th, continuing southeasterly along the arc of said 2052.00 foot radius curve through a central angle of 01°23'47" a length of 50.01 feet to a point on the southeasterly line of said Parker Way, said point also being the most northerly corner of Parcel 3541-3 as described in Document No. 162507 as filed in the Superior Court at Santa Barbara on October 29, 1990, said Document being the Final Order of Condemnation wherein said Parcel 3541-3 was condemned to the Redevelopment Agency of the City of Santa Barbara, for parking purposes; thence 5th, continuing southeasterly along the arc of said curve and the most northeasterly line of said Parcel 3541-3 through a central angle of 00°19'44" a length of 11.78 feet to a point lying 52.00 feet left of State Street Station 11+50.00 as shown on said Right of Way Map; thence 6th, continuing along the boundary of said Parcel 3541-3 South 2946'41" East 42.46 feet to a point lying 106.70 feet right of SB Route 101 Station 131+31.13 as shown on said Right of Way Map; thence 7th, continuing along the boundary of said Parcel 3541-3 South 38°33'15" West 109.12 feet to a point lying 99.36 feet right of SB Route 101 Station 132+40.00 as shown on said Right of Way Map; thence 8th, continuing along the boundary of said Parcel 3541-3 South 42°23'52" West 4.12 feet; thence 9th, continuing along the boundary of said Parcel 3541-3 North 47°34'41" West 59.56 feet to the most westerly corner of said Parcel 3541-3, said point also lying on the southeasterly line of said Parker Way; thence 10th, South 4225'19" West along said southeasterly lin e of Parker Way 1.50 feet; thence 11th, at right angles North 47°34'41" West 50.00 feet to the intersection of the northwest line of said Parker Way and the northeasterly line of Motor Way (as shown on said Right of Way Map and also on "Official Map No. 1955-1 of Undedicated Streets in the City of Santa Barbara" as adopted by the City Council of the City of Santa Barbara in Resolution No. 2737, dated February 24, 1955), said point also lying on the southeasterly line of said Parcel 3543-3; thence 12th, South 42°25'19" West along said northwesterly line of Parker Way and the Southeasterly line of said Parcel 3543-3 15.00 feet to the most southerly corner of said Parcel 3543-3; thence 13th, along the most southwesterly line of said Parcel 3543-3 North 47°34'41" West 100.00 feet to the most westerly corner of said Parcel 3543-3; thence 14th, along the most northwesterly line of said Parcel 3543-3 North 42°25'19" East 15.00 feet to a point on said northeasterly line of Motor Way, said point also being the most southerly corner of said Parcel 3544-3; thence 15th, along said northeasterly line of Motor Way and the southwesterly line of said Parcel 3544-3 North 47°34'41" West 101.15 feet to the most west erly corner of said Parcel No. 3544-3, said point also lying on said southeasterly line of Gutierrez Street; thence 16th, along said southeasterly line of Gutierrez Street and the northwesterly line of said Parcel 3544-3 North 42°24'31" East 133.60 feet to the point of beginnin g;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 037-252-011.

Parking Lot 6 - Granada Garage Structure:

That portion of Block 107, in the City of Santa Barbara, County of Santa Barbara, State of California, as shown on the Official Map of said City, said portion of Block 107 being more particularly described as follows:

Lot 1 of Redevelopment Parcel Map No. 20,640, according to the map thereof recorded on January 21, 2003, filed in Book 56 of Parcel Maps, at Pages 44 through 46, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers APNs 039-183-046, -053 and -054.

Commuter Parking Lot – 400 West Carrillo Street at Castillo Street:

All those certain portions of Block 146, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, described as Parcel One, Parcel Two, Parcel Three, Parcel Four and Parcel Five in the Grant Deed to the Redevelopment Agency of the City of Santa Barbara recorded on April 1, 1983, as Instrument No. 83-15727, of Official Records of said County of Santa Barbara, said Parcels being more particularly described as follows:

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Parcel One: Commencing at a point in the southwesterly line of Castillo Street distant 150 feet southeasterly from the most northerly corner of Block 146, as said Street and said Block are designated and shown on the Official Map and survey of said City of Santa Barbara, and running thence southeasterly along said line of Castillo Street, 50 feet; thence at right angles southwesterly and into said Block 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northeasterly 150 feet to the southwesterly line of Castillo Street and the place of beginning;

Parcel Two: Beginning at the intersection of the southwesterly line of Castillo Street with the northwesterly line of Carrillo Street; and running thence southwesterly along said northwesterly line of Carrillo Street 225 feet; thence at right angles northwesterly 275 feet; thence at right angles northeasterly 75 feet; thence at right angles southeasterly 175 feet; thence at right angles northeasterly 150 feet to said southwesterly line of Castillo Street; thence southeasterly along said line 100 feet to the point of beginning; EXCEPTING THEREFROM that portion conveyed to the State of California by deed recorded December 30, 1959, as Instrument No. 43729 in Book 1701, Page 371 of Official Records;

Parcel Three: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 300 feet southeasterly from the most northerly corner of said Block; thence southeasterly along said Street line 50 feet to a point; thence at right angles southwesterly 150 feet to a point; thence at right angles northwesterly 50 feet to the point of beginning;

Parcel Four: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 250 feet southeasterly from the northerly corner of said Block; thence southeasterly along said line of Castillo Street 50 feet; thence at right angles southwesterly 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northwesterly 150 feet to the point of beginning;

Parcel Five: Beginning at a point on the southwesterly line of Castillo Street, distant thereon 200 feet southeasterly from the northerly corner of said Block 146; thence southeasterly along said southwesterly line 50 feet; thence at right angles southwesterly 150 feet; thence at right angles northwesterly 50 feet; thence at right angles northwesterly 150 feet to the point of beginning;

And said Parcels One, Two, Three, Four and Five described above are referred to together herein for convenience only as Santa Barbara County Assessor's Parcel Number APN 039-261-009.

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Parking Structure Lot 2 - Canon Perdido Street at Chapala Street:

Those certain tracts of real property located within Block 158, in the City of Santa Barbara, County of Santa

Barbara, State of California, as shown on the Official Map thereof, particularly described as follows:

Lot 1 and Lot 2 of Parcel Map No. 20,511, according to the map thereof recorded on October 10, 1989, filed

in Book 44 of Parcel Maps, at Pages 35 through 41, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers

APNs 039-321-045, -047, -048, -051, -054, -055 and -056.

Paseo Nuevo Retail Center Properties:

Those certain portions of Block 175 and Block 193, in the City of Santa Barbara, County of Santa Barbara, State of

California, according to the Official Map thereof, and that portion of De La Guerra Street lying between said Blocks

175 and 193 vacated and described in Resolution of the City Council of the City of Santa Barbara recorded on

December 15, 1988, as Instrument No. 88-080924 of Official Records of said County, excepting that portion of De La

Guerra Street described in deed recorded as Instrument No. 89-12331 of Official Records of said County, said lands

being more particularly described as follows:

Parcels 1 through 14 of Parcel Map No. 20,504, according to the map thereof recorded on February 24, 1989,

filed in Book 42 of Parcel Maps, at Pages 86 through 98, inclusive, records of said County;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Numbers

APNs 037-400-001, -002, -003, -004, -005, -006 and -019.

Bath Street at Mission Creek Properties

Those certain portions of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, described as follows:

635 Bath Street at Mission Creek:

That certain portion of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, described in the Grant Deed to the Redevelopment Agency of the City of

Santa Barbara recorded on February 13, 2008, as Instrument No. 2008-0007929, of Official Records of said

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County of Santa Barbara, more particularly described as follows:

Beginning at the most northerly corner of said Block 214; thence southeasterly along the southwesterly line of

Bath Street, 26 feet to a ½ inch pipe survey monument; thence at right angles southwesterly, 47.00 feet to a

½ inch pipe survey monument; thence North 6809'30" West, 27.61 feet to a ½ inch pipe monument, said

monument being on the southeasterly line of Ortega Street, 58.35 feet southwesterly from the most northerly

corner of said Block; thence 58.35 feet northeasterly along the southeasterly line of Ortega Street, to the point

of beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 037-113-009.

633 Bath Street at Mission Creek:

That certain portion of Block 214, in the City of Santa Barbara, County of Santa Barbara, State of California,

according to the Official Map thereof, described as Parcel One in the Grant Deed to the Redevelopment Agency

of the City of Santa Barbara recorded on February 29, 2008, as Instrument No. 2008-0011283, of Official

Records of said County of Santa Barbara, being more particularly described as follows:

Beginning at the most northerly corner of said Block 214; thence southeasterly along the southwesterly line of

Bath Street, 26 feet to a ½ inch pipe survey monument and the True Point of Beginning; thence southeasterly

along the southwesterly line of Bath Street, 30.85 feet to a cross on sidewalk; thence at right angles

southwesterly, 41.85 feet to a ¾ inch pipe survey monument; thence at right angles northwesterly, 15.26 feet

to a ½ inch pipe monument; thence North 6809'30" W est, 16.53 feet to a ½ inch pipe survey monument;

thence northeasterly in a line parallel to the southeasterly line of Ortega Street, 47.00 feet to the True Point of

Beginning;

And referred to herein for convenience only as Santa Barbara County Assessor's Parcel Number

APN 037-113-010.

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Agenda Item No	\ aanda	ltom	No	
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File Code No. 640.07



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of The Architectural Board of Review Approval Of The

Review After Final Of 336 North Milpas Street

RECOMMENDATION:

That the Council deny the appeal of Tony Fischer on behalf of the Mary Z. Frangos Trust, and uphold the Architectural Board of Review (ABR) approval of the Review After Final of the application of Fresh & Easy Neighborhood Market for changes to an entry tower, entry ramps, doors, and a roof parapet.

EXECUTIVE SUMMARY:

The proposed project involves the demolition of the existing buildings and the construction of a new one-story 11,468 square foot commercial building for Fresh & Easy Neighborhood Market. The demolition of the buildings has already occurred with a separate building permit issued in March 2011.

The project has involved multiple reviews by the ABR over the course of several years. The project received Preliminary Approval from the ABR in 2006. The applicant requested and was granted three time extensions on this initial approval. The project received an ABR Final Approval in January 2010 but returned again in March 2011 with some further project design refinements. The ABR approved the Review After Final revision on April 4, 2011. On April 14, 2011, an appeal of "ABR approvals" was filed by Tony Fischer on behalf of the Mary Z. Frangos Trust.

The appellant requests that Council condition or amend the project approval, asserting that the proposed project should not have been approved without addressing their concerns. The appeal period for the Preliminary Approval expired in 2006. The only decision that is appealable at this time is the approval of the Review After Final. The appropriate standard of review on this type of appeal is whether the project design that received approval at the Review After Final substantially conforms to the original Preliminary Approval. The Review After Final essentially serves as the most recent Final Approval. The appellant's letter covers many issues that are not relevant to the question of substantial conformance with the Preliminary Approval and such discussions are not properly before the City Council at this time. Although Staff believes the appeal raises issues not properly before the City Council at this time, this report responds to each concern raised by the appellant and provides brief explanations on why Staff and the ABR believe the project is consistent with all applicable policies and ordinances. Staff suggests that Council limit the scope of issues to areas that can appropriately be appealed and

considered by the City Council at this late stage of City review. Staff recommends that Council focus only on the changes that were involved with the latest ABR Review After Final approval.

DISCUSSION:

Project Description

The 39,130 square foot project site is located in the Milpas neighborhood at the southeastern corner of Milpas Street and East Gutierrez Street (See site plan, Attachment 2). The approved project involves the demolition of the existing buildings and the construction of a new one-story 11,468 square foot commercial building for Fresh & Easy Neighborhood Market. The proposal includes 48 parking spaces, a voluntary merger of three lots totaling 39,130 square feet, and demolition of three existing non-residential buildings totaling 12,919 square feet. The project will result in a Measure "E" square footage credit as the proposed size of the new building is 1,451 square feet smaller than the existing. The demolition of the buildings has already occurred with a separate building permit issued in March 2011. The ABR approval decision that is the subject of this appeal is for revisions to the ABR approved project that consists of changes to the entry tower, entry ramps, the doors on the northwest corner of the project site, and an alteration to the roof parapet on the south side.

Background

The ABR approved the Review After Final revision on April 4, 2011. On April 14, 2011 an appeal of "ABR approvals" was filed by Tony Fischer on behalf of the Mary Z. Frangos Trust. The appellant requests that Council condition or amend the project approval asserting that the proposed project should not have been approved without addressing their concerns. The project received a preliminary approval on October 9, 2006 and a final approval on January 25, 2010. The appeal periods for these approvals ended 10 days after the approvals, therefore the only decision that is appealable at this time are the project revisions which were the subject of the approval of the Review After Final. The appropriate standard of review on this type of appeal is whether the project design that received approval at the Review After Final substantially conforms to the original Preliminary Approval of 2006. The Review After Final essentially serves as the most recent Final Approval. The appellant's letter addresses issues that are not relevant to the question of substantial conformance with the Preliminary Approval and these points are not properly before the City Council at this time.

Project History

The ABR initially reviewed the project on June 5, 2006 and, after three review hearings, granted the Preliminary Approval on October 9, 2006 for a building design intended for a retail drugstore. The design review process considers the exterior appearance of development not land use. In 2009, the application was changed in terms of tenant but that did not change ABR purview. The project requested and received three one-year time extensions of the Preliminary Approval giving a new expiration date of October 9, 2010. Four final review hearings were held and Final Approval was granted on January 25, 2010. For purposes of improving customer circulation into and out of the grocery story, the floor plan and entry area were revised resulting in exterior changes to the building's tower

element, entry steps and ramps, landscaping planters, and a portion of the parapet roof. These changes returned to the ABR for a Review After Final hearing on the Consent Calendar on March 7, 2011 and the review was continued to the full board of the ABR. The ABR reviewed the changes on March 21 and on April 4 and approved the architectural changes with the final landscaping plan to return to the Consent Calendar (see Attachment 3).

APPEAL ISSUES:

The appellant is not asking the Council to deny the application; rather, the appeal letter (Attachment 1) asks Council to "take appropriate action to improve the project and to comply with applicable requirements." The following appellant's issues are listed below and include staff's position response where appropriate.

Inadequate Notice Provided

1. The project did not receive adequate notice of hearings at ABR, for several time extensions granted to the project and for the issuance of a demolition permit.

Staff's Position: The City provided the required mailed notices 10 days in advance of first Concept Review ABR hearing to all property owners within 300 feet of the subject property as required by the Municipal Code. The mailed notice states clearly that it is the neighboring property owner's responsibility to follow the project through the City design review process for scheduled future hearings, or request that they be added as an interested party to the development case so that all future ABR agendas are sent when the project returns for additional ABR reviews. The file record shows notice was mailed out to Mr. Frangos for the Concept Review hearing. In addition, other neighbors appeared at various ABR meetings. The proposed development project does not require land use discretionary approvals since it is fully allowed by the long-established zoning for this area. Furthermore, the Municipal Code does not require mailed notice to neighbors for the granting of time extension approvals or the issuance of demolition permits. It is not unusual for projects to return to the Boards for Review After Final decisions to consider architectural changes and site plan revisions. These types of minor revisions to projects also do not trigger noticing beyond the ABR agenda itself.

Inadequate Environmental Assessment

 Required environmental assessment not completed for the project regarding project design impacts related to the removal of contaminated soil and significant impacts on views.

Staff's Position: The appellant has not provided any evidence to support this conclusion. Based on an analysis of the proposed project, the project qualifies for an exemption per CEQA Sections 15330 (soil remediation) and 15302 (Replacement or Reconstruction). Staff has thoroughly reviewed the project and found that there are no significant environmental effects and that the project is consistent with the C-2 Zone and the General Plan policies. City planning staff reviewed the Remediation and Corrective Action Plan which was designed to remediate hazardous materials on the project site. The Plan would cover 2,250 square feet and would extend approximately 12 feet below grade. This would result in 1,000 cubic yards of soils being removed from the site and sent to a facility licensed to take hazardous materials. An estimated 100 truck trips would be

required to transport the soils to the landfill and another 100 trips would be required to replace the contaminated soils. Since the total 200 remediation truck trips would occur only once, to remediate an existing condition, this impact would not be significant.

The City applied standard conditions of approval to the project to help reduce short-term construction related impacts such as traffic relating to truck trips generated during construction (see Attachment 4).

A one-story structure replacing an existing one-story structure does not usually present concerns regarding view blockage. No public concerns were voiced to the ABR regarding the proposed 28 foot maximum height building. The ABR determined that the original design and revised design were acceptable for the neighborhood. Staff recommends that Council review the latest architectural design changes to determine whether the proposed revisions substantially conform with the previously approved design.

Inadequate review of Grading Plans

3. & 4. The ABR did not provide adequate review of the grading and drainage plans and the plan information is incomplete.

Staff's Position: Not substantial appeal issues. It is staff's position that appropriate consideration has been given to the proposed plan at the ABR level. The project site is relatively flat. Potential drainage Impacts and floodplain compliance related to proposed grading of the site are typically reviewed as part of building permitting stage. The proposal receives initial staff review to determine that the base flood elevation is being met. The Architectural Board of Review (ABR) review approval process is not the appropriate venue for addressing drainage and floodplain compliance concerns that are handled by Building and Safety during plan check.

Inadequate review and consideration of perimeter block walls

5. & 6. Proposed 8 foot tall cinder block wall at perimeter of site will obstruct significant existing views and design should be revised.

Staff's Position: The ABR determined the proposed 8 foot block perimeter wall to be suitable for this site. The adjacent property owner who resides in a residential building east of the subject at 920 E. Gutierrez Street supports the proposed wall to help buffer the properties (see Attachment 5). It is not unusual to have these types of sound block walls along the perimeter of grocery stores and parking lots adjacent to residential uses.

<u>Drawings do not reflect actual conditions relating to location and size of street trees and project design will not provide for adequate public sidewalk widths</u>

7. & 8. The plans are inaccurate and the project violates MC sections 22.60.110 and 22.60.290 for minimum sidewalk widths. If project had a more suitable setback, the project would comply and the trees could be protected.

Staff's Position: The project does not violate any Municipal Code requirements. The code sections cited above by the appellant involve public sidewalk improvements for subdivisions. The project proposes to maintain the long-existing 8 foot sidewalk width fronting along Milpas Street. There are two existing public trees (Indian Laurel Figs) along the Milpas Street frontage where the sidewalk widths are reduced due to the large size of existing street trees and trunks. The project design does not comply with

recommendations of City's Pedestrian Master Plan (PMP) for frontage improvement dimensions, which are 2.5' frontage zone, 8' sidewalk, 4' parkway, and 6" curb. However, in this particular case, Public Works Transportation Staff did not believe it was fair to apply these new PMP standards to a project that had submitted a complete application before the PMP was finalized and approved. Although Public Works would normally recommend these improvements on new buildings subject to approval by the Planning Commission, there is less nexus for these improvements for a project which only needs ABR design review.

Inadequate Findings Made

9. ABR failed to make findings required by Chapter 22.68 of the code.

Staff's Position: Not a substantial issue and not applicable for project. Preliminary approval for this project site was first granted in 2006 by the ABR for a similar building size, height and design (Long's). The ABR's "project compatibility criteria" were not adopted by the City Council until 2008. Section 22.68.045 C1 indicates the ABR shall consider the compatibility criteria during the course of its review of the project design prior to the issuance of preliminary design approval for the project.

No information on utility easements shown on plans

10. The existence and location of utility easements through property are not part of plan submittal.

Staff's Position: Not a substantial issue. The information on utility easements is not required to be shown on ABR approved plans. The information is presented for review through the building permitting stage.

Project will have noise and use impacts

11. Restrictions on hours of operation and the hours for deliveries would be appropriate and necessary to minimize impacts on residential uses in the area.

Staff's Position: Not a substantial issue. As stated earlier in staff report. The proposed market use is consistent with allowed uses for C-2 Commercial zoning. No special land use approvals are required for this application and, as a result, Staff can not condition this business to restrict hours of operation or hours for deliveries unless the business voluntarily agrees to these types of limitations. Staff has encouraged that Mr. Frangos discuss operational concerns directly with applicant.

Project violates recommendations outlined in 2006 Historic Structures Report

12. Recommendations to maintain building setback and for an art deco design were not followed by the ABR and the building will not be in keeping with existing and neighboring buildings.

Staff's Position: The former buildings were studied and found to not be historically significant in a Historic Structure Report accepted by the HLC in 2006. The report preparer indicated the demolition of the building could proceed and not pose a significant adverse impact, but made two advisory recommendations on the future design for the replacement building (see attachment 6). Staff agrees that these advisory recommendations were part of the HLC acceptance of the report and intended to be

subsequently forwarded to the ABR for consideration. The ABR were recently reminded of these advisory recommendations and some ABR members indicated they were unaware of these prior advisory recommendations while reviewing the Return After Final tower changes along Milpas Street. The majority of the ABR believed it was too late to consider these and accepted the current building design.

CONCLUSION:

The proposed project received ABR Preliminary Approval in 2006. This appeal is from a decision on Review After Final. Therefore, the question before the Council is whether the revised project as approved in the Review After Final substantially conforms to the design that received Preliminary Approval. Staff believes that the changes approved in the Review After Final are in substantial conformance with the Preliminary Approval and that the project continues to be consistent with the original plan approvals for the project site.

It is staff's position that the building design is compatible with the neighborhood and that the Architectural Board of Review appropriately considered all relevant design issues pertaining to the application and to approve the design of the proposed project. The building design, loading dock, and parking configuration locations were given thorough consideration (see Attachment 2). Therefore, staff recommends that the Council deny the appeal and uphold the approval of the project.

NOTE: The project plans have been separately delivered to the City Council for their review and are available for public review in the City Clerk's Office.

ATTACHMENTS: 1. Appellant's letter dated April 13, 2011

- 2. Site Plan, Landscape Site Plan and Building Elevations
- 3. ABR Minutes
- 4. ABR Conditions of Approval
- 5. Letter from adjoining neighbor dated May 6, 2011

6. Historic Structures Report Excerpt dated August 30, 2006

PREPARED BY: Jaime Limón, Senior Planner II

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

RECEIVED

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Tony Fischer
Attorney at Law
2208 Anacapa Street
Santa Barbara, CA 93105
Tel: 805 563 6784
fischlaw@cox.net

CITY OF SANTA BARBARA CITY CLERK'S CIFFICE

April 13, 2011

Mayor Helene Schneider and Councilmembers City of Santa Barbara City Hall Santa Barbara CA 93101

Re: Appeal of ABR approvals for building at 336 N. Milpas St.

Dear Mayor Schneider and Council Members:

This appeal is filed on behalf of the Mary Z. Frangos Trust. The Trust owns the property at 318-320 North Milpas and the property across the street at 325 North Milpas. The 318-320 North Milpas property is immediately adjacent on Milpas Street to the Fresh and Easy Neighborhood Market project proposed at 336 N. Milpas Street, Santa Barbara, CA.

This appeal is filed for the following reasons:

1. Inadequate notice of hearings at ABR. The processing of this project failed to comply with due process by failure to give required notice. This project began as a drug store in 2006 and was presumed abandoned only to find out that it received several extensions without notice to neighbors and then received a demolition permit. Then, it was scheduled for review on the ABR's "consent agenda" on March 7, 2011 for major revisions to the corner/tower design, building height, additional refrigeration equipment on the roof, etc., as requested by "Fresh and Easy." Frangos Trust objected to the review on consent which was being done without notice to the neighborhood. The project was forwarded from the consent agenda to the full board and the project was rejected even without the benefit of the concerns of the immediate neighbor. Review was continued for two weeks to March 21 only to be continued again by the Applicant for two weeks to April 4, 2011. At that hearing, the project was approved by 4 ABR members despite the recognition by some ABR members of valid concerns related to (a). the eight foot (8') high bare cinder block walls (very suitable for graffiti on both sides) around the parking lot and along the southerly property line; (b) the inaccurate drawings showing the existing trees and potential damage to the mature trees due to required excavation; (c) the lack of information regarding actual building height (drawings only show height above finished floor); (d) the blockage of mountain/Riviera views by construction of a 28 foot tall single story building with no setback; (e) failure to comply with recommendations in the Historic Structures Report regarding design and setbacks; and. (f) the lack of a required grading plan despite a known requirement to excavate and remediate

Appeal of ABR approvals of 336 North Milpas,

Date: April 13, 2011

contaminated soils identified in the 1990s. Despite being a neighbor, adequate notice, consistent with due process has not been sent or received and these valid concerns were not adequately considered.

- 2. The required environmental assessment of project impacts has not been completed. Impacts of removal and remediation of the soil contamination which was identified by the County Fire Department in the 1990's, has not been assessed. Significant impacts on views were not assessed.
- 3. There is no grading plan despite the extensive grading (cut and fill) and hauling required for the project. A grading plan is required to be submitted and approved by ABR per Chapter 22.68 of SB Municipal Code. Without a grading plan for review and approval by ABR, the project does not have all required reviews and approval. A complete grading plan would help with evaluation of building height, impact on existing trees, and existence of utility easements, flood control and drainage compliance issues.
- 4. Site has contaminated soil. The contamination must be removed to an appropriate disposal site. That removal alone involves enough cut and fill to require a grading plan. The Architect mentioned at the hearing the potential for a finished floor height based upon flood control maps. Showing that information on a grading plan would help in determining the final design in order to verify that project will not grow taller during construction to comply with those maps and would help to determine if the building height is excessive.
- 5. The project building and the parking lot's tall bare cinder block wall will obstruct significant existing views. True height of building is not on drawings. All elevations are based upon "finish floor" and not based upon existing grade.
- 6. Project will construct eight feet (8') tall bare cinder block walls suitable for graffiti on both sides. The views from the project's parking lot and the neighbors view of the project site will be negatively impacted. It is noted that the architect indicated at the ABR hearing that lowering the wall likely would be acceptable to Fresh and Easy and that the 8 foot height was proposed because that height was believed to be a requirement of the City. The surrounding area is rustic with wooden building and wooden property line walls shorter than 8 feet. A wooden fence would be compatible with the neighborhood. Block wall is not compatible. More greenery would also be more consistent with the neighborhood.
- 7. Drawings do not reflect actual conditions related to location of street trees adjacent to the property and the size of the trees.
- 8. Existing street trees on Milpas are to be retained. However, project is contrary to law because at the location of the trees there is inadequate sidewalk width. As proposed, the project violates SBMC sections 22.60.110 and 22.60.290 which establish minimum

Appeal of ABR approvals of 336 North Milpas,

Date: April 13, 2011

sidewalk width. If the project had more suitable setback (none proposed), the project would comply and the trees could be protected.

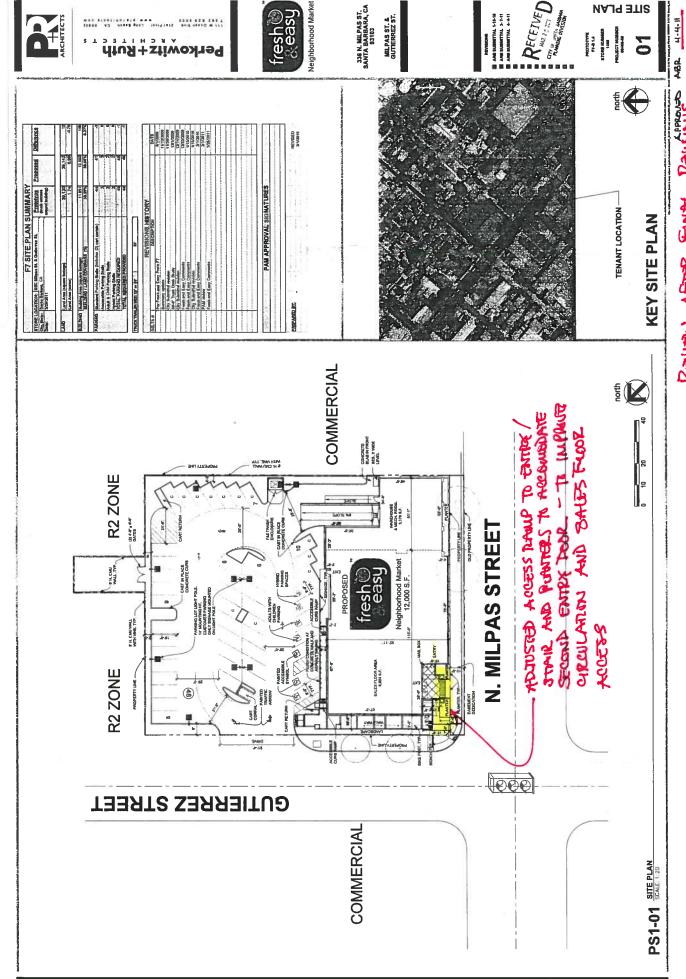
- 9. ABR failed to make findings required by Chapter 22.68 of the Code.
- 10. The existence and location of utility easements through the property is not a part of the documentation submitted to the ABR. Those easements may impact the design. Any relocation of utilities needs to be shown on the drawings.
- 11. As part of environmental review, the project as currently proposed for Fresh and Easy, will have noise and use impacts. Restrictions on hours of operation and the hours for deliveries would be appropriate and necessary to minimize impacts on residential uses in the area. It is believed that restrictions were imposed on the operation of Trader Joes on De La Vina.
- 12. At the time of approval of the Historic Study report in 2006, the two recommendations were: (1) keep the setbacks; and (2) have an art deco design in keeping with the existing and neighboring buildings. This project violates both recommendations.

We reserve the right to provide additional information related to this appeal and respectfully request that the City Council take appropriate action to improve the project and to comply with applicable requirements.

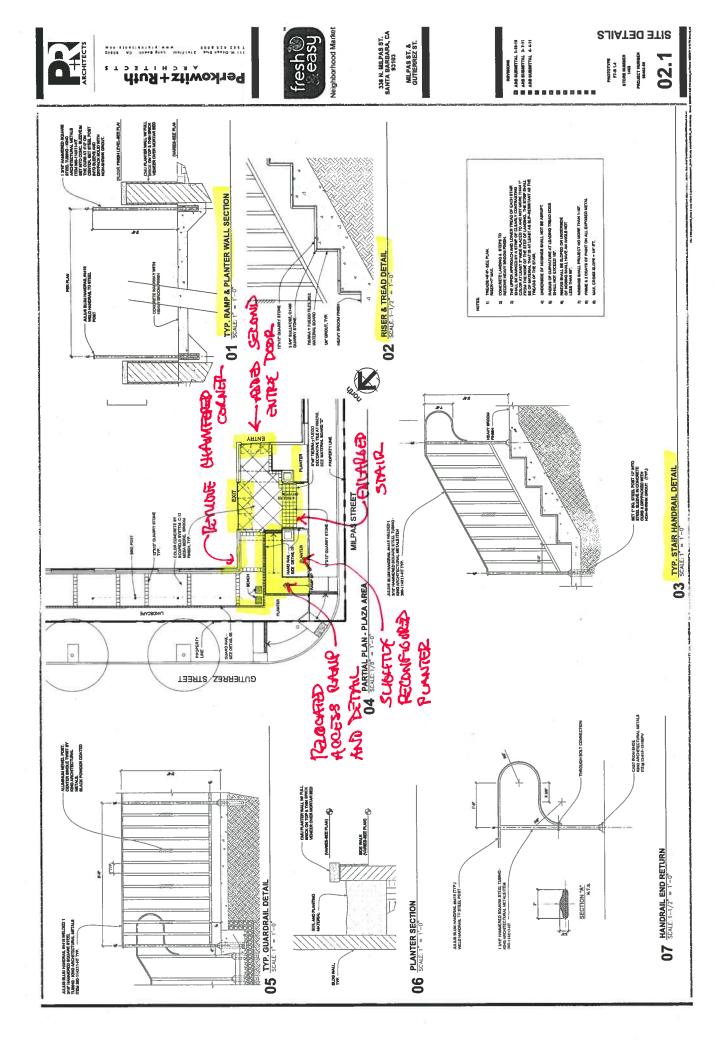
Sincerely,

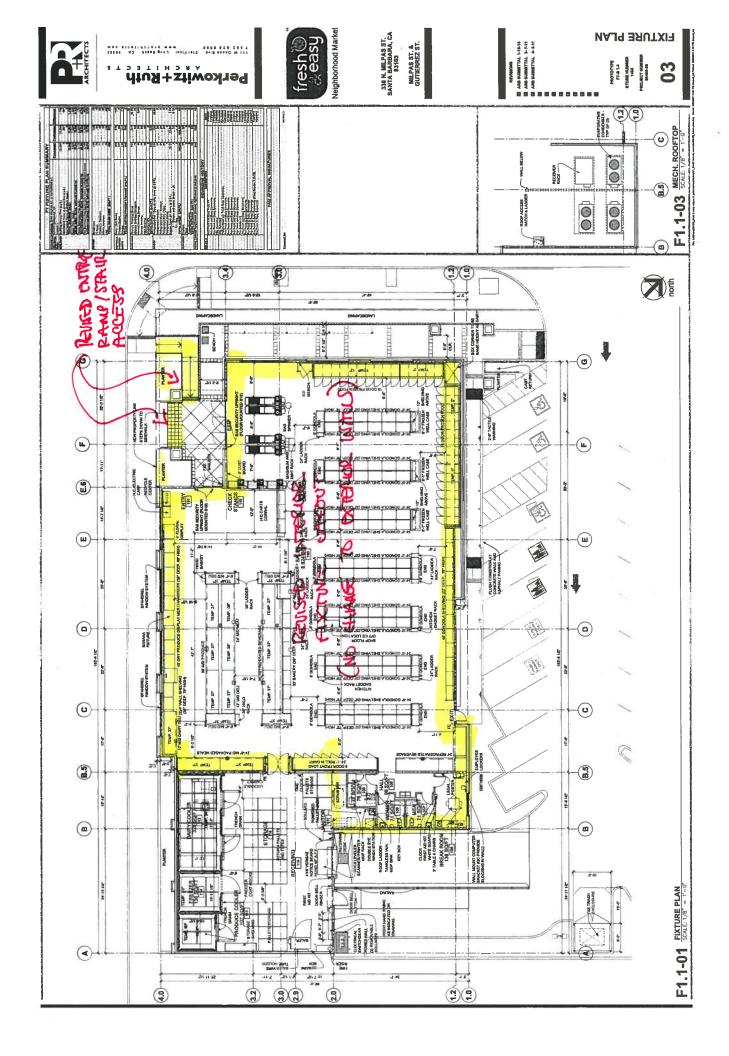
Tony Fischer, Attorney for Mary Z. Frangos Trust

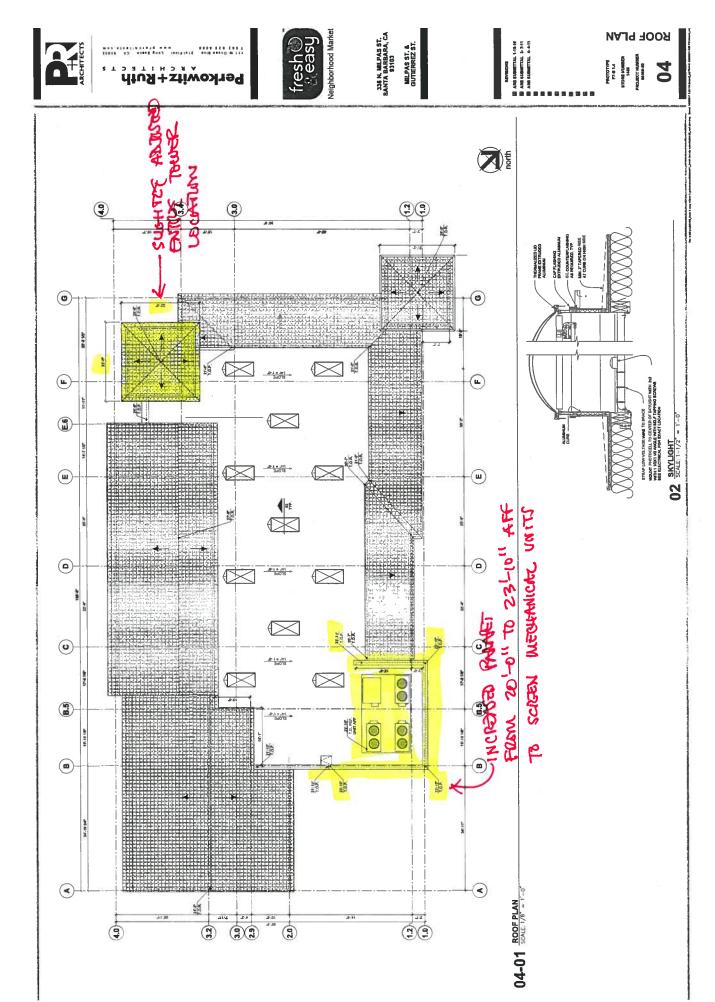
cc: Fresh and Easy



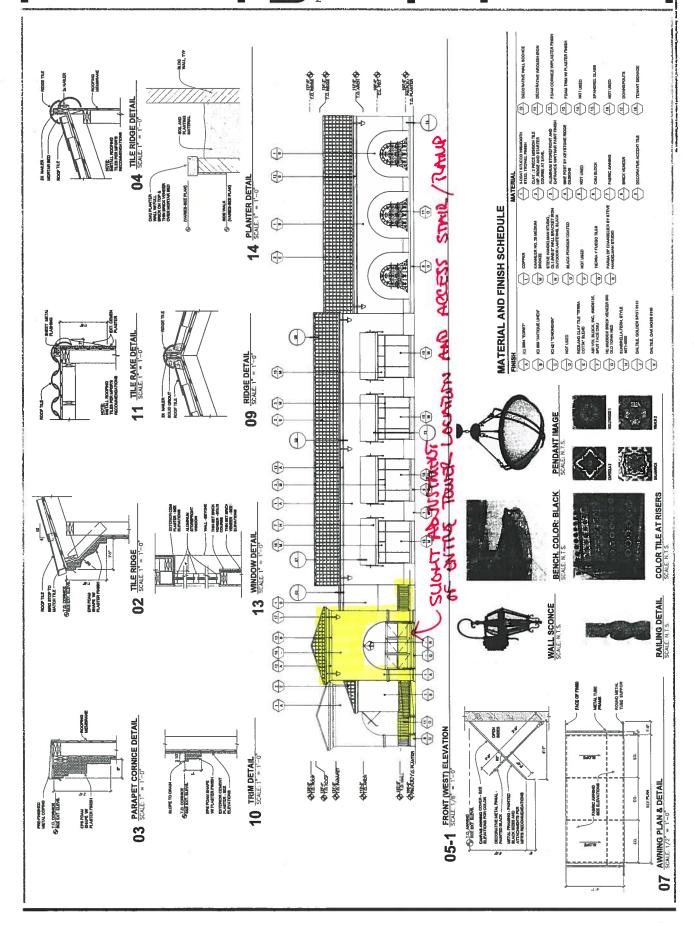
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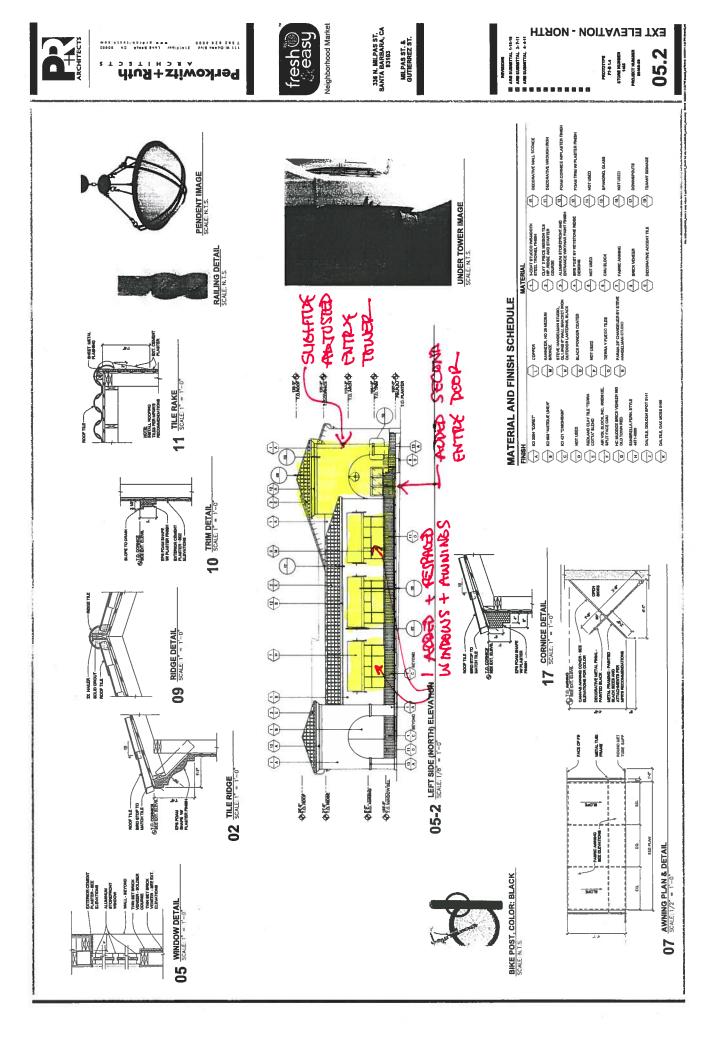


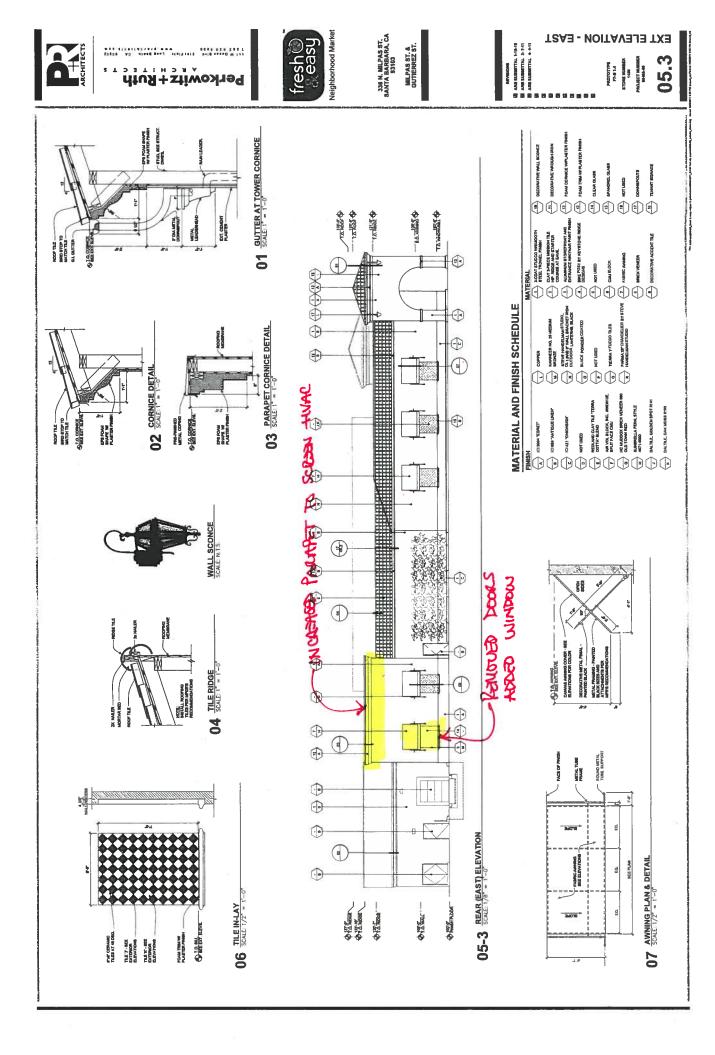












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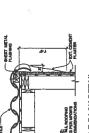
336 N. MILPAS ST. SANTA BARBARA, CA 83103

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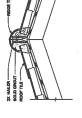




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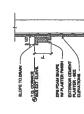
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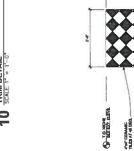
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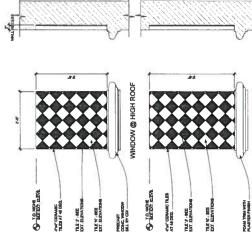


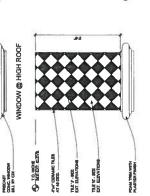


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SITE PLAN

GUTIERREZ ST.

336 N. MILPAS STREET SANTA BARBARA, CA

CITY OF SANTA BARBAR CITY OF SANTA BARBAR

PERKOWITZ + RUTH ARCHITECTS.
ATTN. MR. SEAN UNSELL
SUNSELL@PRARCHITECTS.COM
(562)628-8000

ARCHITECTS INFORMATION

031-371-019 (12,919 SF) 031-371-002 (14,328 SF) 031-371-021 (11,895 SF)

-NEWS FT, CHAI WALL WEYBES CARUS PLT FACE, AR VOL. BLOCK, PIC.

48 0.0

FIRE SPRINKLER PROTECTION

LAND USE ZONE.
TYPE OF CONSTRUCTION:
OCCUPANCEY GROUP:

336 N. MILPAS STREET SANTA BARBARA, CA 93103 FRESH & EASY NEIGHBORHOOT 2120 PARK PLACE, SUITE 200 E1. SEGUNDO, CA 80245 (310) 341-1385

OWNER'S INFORMATION

SITE ADORESS:

PROJECT STATISTICS

48 SPACES

SEWER SYSTEM: WATER SYSTEM: EXISTING USE. PROPOSED USE.

AREAS: TOTAL LOT AREA: EXISTING BUILDING AREA BUILDING A REQUIRED PARKING

EXISTING GROSS BUILDING AREA

12,919 SF

PROPOSED GROSS BUILDING AREA 11.966 SF PROPOSED NET BUILDING AREA 11.871 SF

ALLOWABLE AREA CALCULATIONS: (V-8) BASED ON 2007 CBC

SEE SITE DETAIL SHEET 23

GUTIERREZ STREET

RETAIL

ALLOWABLE AREA: 9,000 SF INCREASE FOR FIRE SPRINKLER =9,000 X 2 = 18,000 SF THERERFORE = 0,K

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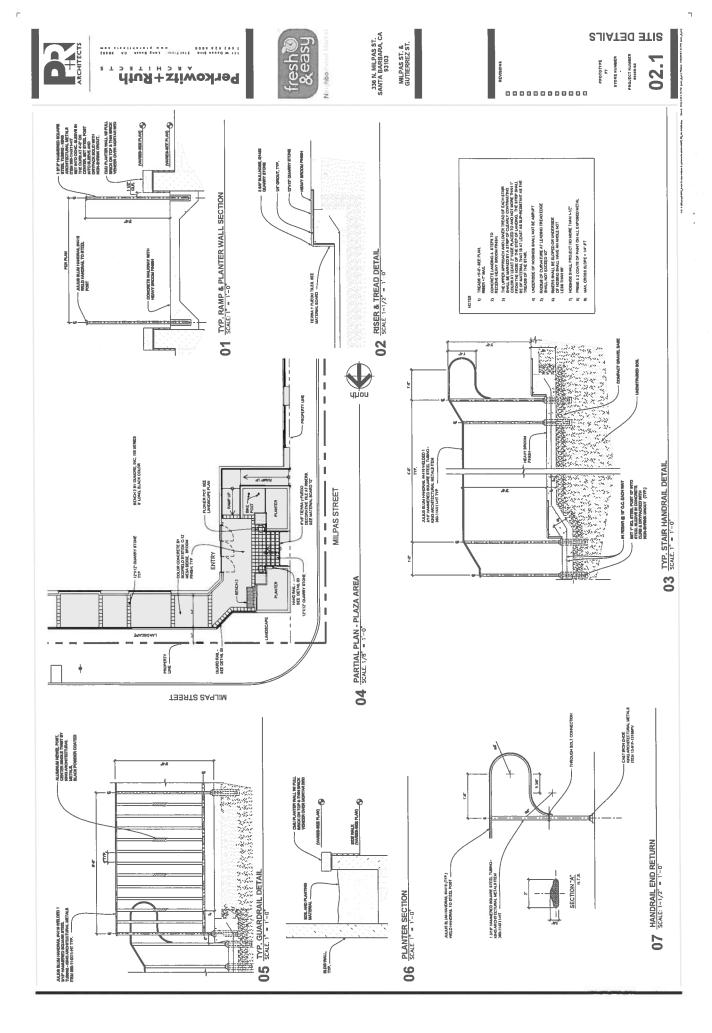
NORTH MILPAS STREET

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SEE SITE DETAIL SHEET 2.1

01 SITE PLAN

01-52-1







PLANTING PLAN

Perkowitz+Ruth



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Dannels Intransce Terrad	Toened Fasmen Flax Lify	I Ga	1 G# 331 SF	Plant @ 18" O.C.
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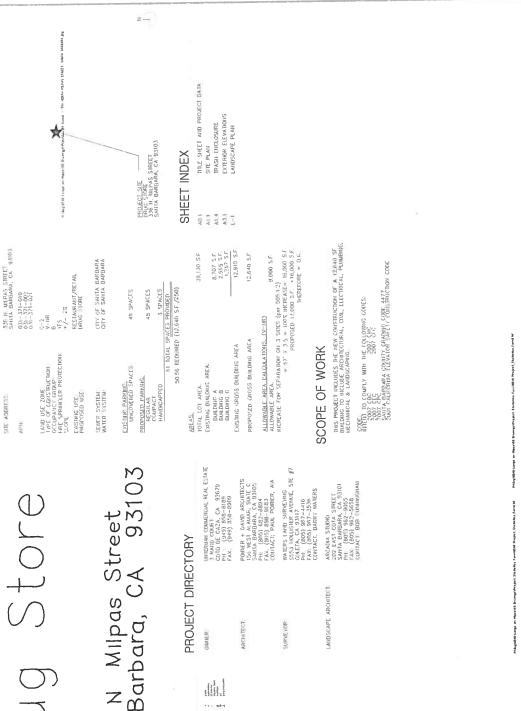
Drug Store

VICINITY MAP

PROJECT STATISTICS

336 N Milpas Street Santa Barbara, CA 93103

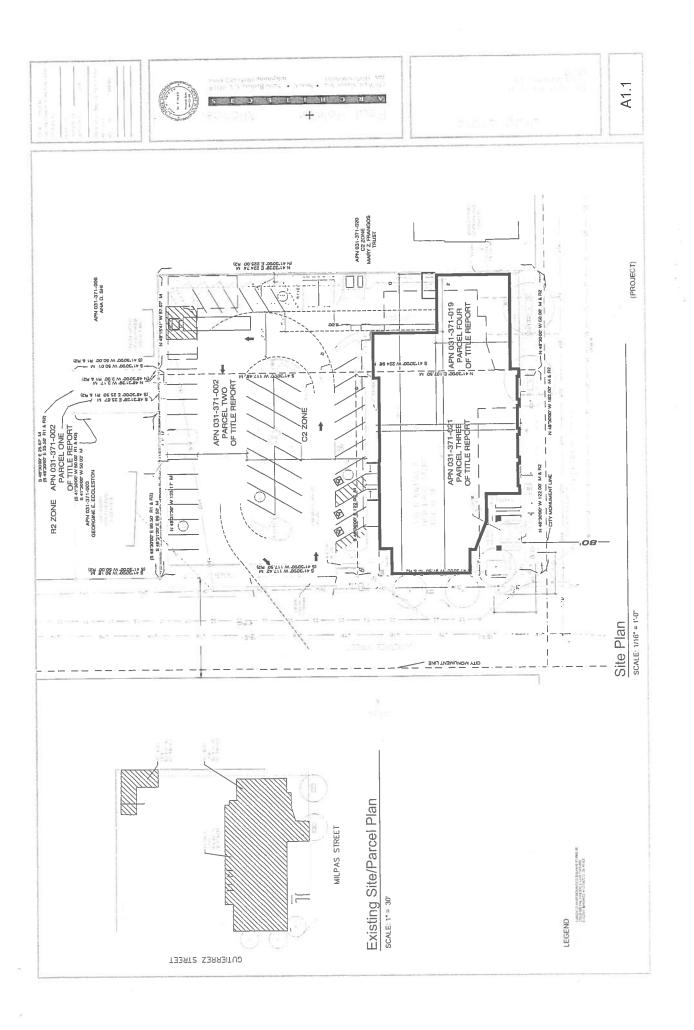
ABBREVIATIONS



A0.1

PREJUDIMENT APPROLED POMS

90-6-91



ABR MINUTES 336 N. MILPAS STREET MST2006-00236

March 7, 2011

ABR - REVIEW AFTER FINAL

Referred to Full Board from today's Consent Calendar

Actual time: 3:29

Present: Shawn Unsell, Architect; Bob Cunningham, Landscape Architect.

Mr. Limon informed the Board that a request for postponement was received from the adjacent property owner, Constantino Frangos, because he did not receive a meeting agenda as requested. Mr. Limon recommended that the Board postpone hearing the item to allow adequate public comment.

Tony Fisher, representing Constantino Frangos, stated that his client did not receive noticing and would like adequate time to review changes to the plans as the adjacent property will be impacted by the project.

Mr. Limon provided background project information from a historic structures report that recommended retaining a setback from Milpas Street similar to the demolished structures. Mr. Limon indicated that this Review After Final moves a portion of the proposed structure closer to Milpas Street.

Public comment was opened at 3:48 p.m. As no one else wished to speak, public comment was closed.

Motion: Continued two weeks to the Full Board with the following comments:

- 1) Study the ADA ramped corner of the site for a solution that does not include a step in the sidewalk.
- 2) Study the parapet on south elevation for a better transition between high and low parapets.
- 3) The proposed tower changes are unacceptable as presented. Study increasing the setback from the sidewalk, and study connections to adjacent structures at the west and north elevations.
- 4) Study increasing the landscape wherever possible.
- 5) Provide sections through the mechanical equipment area, the roof, and the parapet to verify that rooftop equipment will be screened.

Action: Aurell/Mosel, 6/0/0. Motion carried. (Rivera stepped down)

1/25/2010 ABR Consent Calendar

FINAL REVIEW

Final Approval as submitted of landscaping, and Final Approval of architecture as noted:

- 1) On Sheet 03, square off the northwest corner.
- 2) On Sheet 04, remove the hip roof at the northwest corner and replace with a shed roof returning to the tower.
- 3) Use a two-piece mission tile instead of S-tile.

12/14/2009 ABR Full Board

FINAL REVIEW

(6:45)

Present: Sean Onsell, Perkowitz & Ruth Architects; Larry Tanji, Broker; and Bob

Cunningham, Landscape Architect.

Public comment opened at 7:13 p.m. As no one wished to speak, public comment was closed.

An opposition letter from Paula Westbury was acknowledged by the Board.

Motion: Continued indefinitely to the Consent Calendar with comments:

- 1) Study the wrought iron on the Milpas Street elevation.
- 2) Study removing the guard rail along the north walkway and replace with landscaping.
- 3) Provide an additional awning on the east elevation.
- 4) Study the confluence to the building's north eastern corner tower element and how it relates to the building; applicant to consider moving it forward to the sidewalk.
- 5) Study the northwest corner of the building and the connection of the hip roof and tower element.

Action: Aurell/Mosel, 4/0/0. Motion carried. (Rivera/Zink stepped down; Gross/Sherry absent).

11/30/2009 ABR Full Board

FINAL REVIEW

(4:59)

Present: Sean Unsell, Perkowitz & Ruth Architects; and Bob Cunningham, Landscape Architect.

Public comment opened at 5:19 p.m. As no one wished to speak, public comment was closed.

A letter of concern from Paula Westbury was acknowledged by the Board.

Motion: Continued two weeks to the Full Board with comments:

- 1) Revise the wrought iron grill to be more of a Spanish revival style.
- 2) Study the color scheme and provide a darker color than the "Acadia Antique" patina (key note "M" of the color schedule).
- 3) Reduce the height of the light fixtures to a maximum 14 feet above grade or paved surface. Provide a light shield /cut off fixture to avoid light nuisance to the surrounding neighborhood.

- 4) Study the outdoor seating to either relocate to a more appropriate location, or eliminate the outdoor seating area and replace with increased landscaping and benches.
- 5) Study the pedestrian street entry and the tower elements. The Milpas and Gutierrez Street entry should be the primary pedestrian entry in scale and operation, and the rear parking lot entry shall be the secondary entry.
- 6) Study the shape of the round awning over the rear entrance.
- 7) Study the service doors on the Milpas Street frontage (in front of the access ramp). Solutions could include providing wooden doors and/or add landscaping screening.

Action: Mosel/Gross, 5/0/0. Motion carried. (Zink/Rivera stepped down, Aurell absent.)

11/16/2009 ABR Full Board

FINAL REVIEW

(8:01)

Present: Sean Unsell, Project Manager for Perkowitz & Ruth Architects.

Public comment opened at 8:12 p.m. As no one wished to speak, public comment was closed.

An opposition letter from Paula Westbury was acknowledged by the Board.

Motion: Continued two weeks to Full Board with comments:

- 1) Provide all exterior door, window, and building articulation details and finishes, floor plans, sections, and elevations.
- 2) Study the original preliminary approval design for style and details, specifically regarding the entry tower and how it relates to the entry.
- 3) Revise the copper finial on the roof.
- 4) Revise the wrought iron arched areas for planting on the street side.
- 5) Study the proportion of the brick finish archway on the street elevation.
- 6) Apply a more subtle use of the alternate tile pattern.
- 7) Study the proportion of the windows with the architectural style.
- 8) Study a color palette more indigenous to the Santa Barbara "Spanish Revival" style, and return with alternative color schemes. The brown brick veneer is not acceptable; provide another color proposal. Provide an alternate wainscot color between the three columns.
- 9) Remove all references to signage. All signage is to be reviewed by the Sign Committee under a separate application.

LANDSCAPING:

1) Provide a complete landscape plan, including all existing street trees.

2) Provide significant landscaping along the patio edge, the street elevation, and the Gutierrez Street elevation.

Action: Gilliland/Rivera, 5/0/0. Motion carried. (Zink/Sherry/Gross absent).

Additional Board comment:

Rather than the split face block wall around the parking lot (to be covered in planting vines), one Board member preferred that it be a blank wall instead (covered in planting vines).

10/5/2009 Consent Calendar

CONTINUED ITEM

(Preliminary Approval was granted 10/9/2006. Two one-year time extensions have been granted. Applicant is requesting a third one-year time extension.)

Approval of a one-year time extension with findings made that there are no changes proposed to the original design that received Preliminary Approval.

10/6/2008 CONSENT CALENDAR

REFERRED BY FULL BOARD

(Preliminary Approval granted 10/9/2006. A one year time extension was granted on 10/8/2007. Final Approval is requested of architecture and landscaping.)

One year time-extension granted.

10/9/2006 ABR Full Board

PRELIMINARY REVIEW

(6:29)

Present: Paul Poirier, Architect; Katie Corliss, Associate.

Motion: Preliminary Approval and continued to Consent Calendar with the following

comments:

1) Refinements to the current scheme are successful: however:

a. The applicant should study upgrading the materials at the entry stairway approach.

b. Reconsider the coloration for the type of block used at the proposed walls.

c. Increase the recess of windows on Milpas Street to twelve inches.

d. Increase landscape opportunities at the south parking lot by "saw-toothing" at the curb.

e. Include vines along the block walls.

2) Final Approval may be made at Consent Calendar.

Action: LeCron/Sherry, 8/0/0. Motion carried.

8/21/2006 ABR Full Board

CONCEPT REVIEW (Continued)

(6:59)

Present: Paul Poirier, Architect; Joe Cavenaugh, Longs Drug Store.

Public comment opened at 7:12 p.m.,

Georgine Eccleston, resident, in favor; however, expressed concern regarding maintenance of the proposed fence.

Public comment closed at 7:18 p.m.

Motion:

Continued indefinitely to the Full Board with the following comments:

- 1) The Board appreciates the revised site plan with the loading dock concealed in the rear, and the relocated trash enclosures.
- 2) The Board appreciates the building creating a strong edge on Milpas Street.
- 3) The majority of the Board appreciates the preservation of the tree at the corner of Milpas and Gutierrez Streets.
- 4) The majority of the Board likes the two entry tower. Continue to study and refine the tower entry at the Milpas Street corner.
- 5) Study the consistent use of brick at the wainscot.
- 6) Study increasing plate height of the middle portion of the mansard roof facing Milpas Street to give better articulation to the individual buildings.
- 7) On the Milpas Street elevation, study incorporating full height glass display windows, which should be recessed as much as possible at the center portion of the building elevation.
- 8) Restudy the east elevation.
- 9) Study adding design detail to the south elevation gable form. 10) Study the use of planters, in lieu of pots, under the west wall arches as a more maintainable solution.

Action:

LeCron/Wienke, 8/0/0.

6/5/2006 ABR FULL BOARD CONCEPT REVIEW

CONCEPT REVIEW (New)

(3:50)

Paul Poirier, Architect; Derrik Eichelberger for EHE Realty Co.; and Joe Cavanaugh for Longs Drugs, present.

Public comment opened at 3:59 p.m.

Mr. Ricardo Shi, neighbor, expressed concern regarding the proposed project's fencing, and trash receptacle, size and appearance, including any possible negative impact on his privacy and public view.

Ms. Georgine Eccleston, neighbor, expressed concern regarding the proposed project's fencing, trash receptacle, repositioning of driveway, decorative wall, and location of the proposed utility poles.

Public comment closed at 4:09 p.m.

Motion:

Continued indefinitely to Full Board with the following comments:

1) The Board finds that the current proposal is replacing one of the nicest examples on Milpas Street, and would like to see a revised proposal that emulates many of those good attributes.

- 2) An identifiable pedestrian entrance along Milpas Street or at the corner is desirable.
- 3) The Board would look for pedestrian space along Milpas Street that sets the building back far enough to maintain some of the Riviera mountain views.
- 4) As to traffic circulation, it would be preferable to have the parking less apparent from Milpas Street and yet allow for vehicle access.
- 5) As to the architectural mass, it would be preferable to have the building broken up into smaller components and have a more "village-like" quality, as opposed to the big box-like retail look as currently presented.
- 6) It would be a real asset to the proposed project to keep the jacaranda tree at the front corner.
- 7) Some functional relationships of necessary elements such as the trash and loading dock areas should not be visible from the street and the adjacent residential neighbors.
- 8) The proposed project should represent a true retail experience, especially along Milpas Street, and not present a false façade alluding to activities behind an adorned blank wall.
- 9) The domed form on the building alludes to an entry even though not authentic, and should be an actual entry expression or pronounced entrance.
- 10) Applicant should return with photo documentation of composite street elevations.
- 11) Applicant shall include accommodation for shopping carts and any future vending machines on the revised proposal.

Action: Mudge/Sherry, 7/0/0. (Romano stepped down)

ARCHITECTURAL BOARD OF REVIEW CONDITIONS OF APPROVAL

336 N. MILPAS NEW COMMERCIAL BUILDING JUNE, 5, 2006

Cultural Resources: Standard Construction "Discovery" Measure

- CR-1 Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such cultural resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and a City-approved archaeologist shall be consulted to evaluate the find, and mitigation measures shall be undertaken as necessary to avoid significant impacts. If the discovery consists of potentially human remains, the Santa Barbara County Coroner and the California Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Environmental Analyst.
- C-2 Extended Phase 1 (See MEA Guidelines)
- C-2 Monitoring (See MEA Guidelines)

Hazardous Materials

HZ-2 In the event that potentially hazardous materials are uncovered during grading or construction processes, the applicant shall take appropriate measures to assure worker and public safety and provide for assessment and remediation in accordance with State, County, and City regulations.

Noise: Construction Noise Mitigation Measures

- N-1. Noise generating construction activity should be prohibited Saturdays, Sundays, and holidays and between the hours of 5 p.m. to 8 a.m. Holidays are defined as those days which are observed by the City of Santa Barbara as official holidays by City employees.
- N-2 All construction equipment, including trucks, should be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- N-3 Staging and equipment areas shall be sited to minimize noise effects to residential and other noise-sensitive land uses. Temporary noise barriers shall be provided around the construction site as necessary to avoid extended disturbance to neighbors from construction noise.
- N-4 Within 10 days of commencement of construction, the applicant shall provide notice of construction schedule to surrounding neighborhood and post information on the site in a location visible to the public, including the hours of operation and contact person with telephone number.

Solid Waste: Construction Source Reduction/ Recycling Measures

SW-1 Recycling bins shall be placed on the site throughout the construction process, and the applicant shall maximize resource recovery, reuse and recycling of demolition and construction waste as feasible.

Traffic: Construction Traffic/ Parking Mitigation Measures

- TC-1 The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods and shall be approved by the Transportation Operations Manager..
- TC-2 Construction parking shall be provided as follows:
 - A. During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Operations Manager.
 - B. On-site or off-site storage shall be provided for construction materials and equipment. Storage of construction materials within the public right-of-way is prohibited.

Grading: Erosion/Siltation/Water Quality Mitigation Measures

- W-1 An Erosion Control Plan for construction activities to maintain all sediment on site and out of the drainage system shall be submitted to the Building Division for approval prior to Building Permit issuance and shall be implemented by the applicant on site. The plan shall include, at a minimum, the following:
 - 1. Minimize the area of bare soil exposed at one time (phased grading).
 - 2. Install silt fence, sand bag, hay bale or silt devices where necessary around the project site to prevent offsite transport of sediment.
 - 3. Bare soils shall be protected from erosion by applying heavy seeding, within five days of clearing or inactivity in construction.
 - 4. Construction entrances should be stabilized immediately after grading and frequently maintained to prevent erosion and control dust.
 - 5. Establish fuel and vehicle maintenance staging areas located away from all drainage courses, and design these areas to control runoff.
 - 6. Maintain and wash equipment and machinery in confined areas specifically designed to control runoff. Thinners or solvents should not be discharged into sanitary or storm sewer systems. Washout from concrete trucks should be disposed of at a location not subject to runoff and more than 50 feet away from a storm drain, open ditch or surface water.
- G-2 A detailed grading and erosion-control plan shall be submitted for review and approval prior to issuance of grading permit. The plan shall be coordinated with drainage and landscaping plans, and shall incorporate Best Management Practices in accordance with Regional Water Quality Control Board regulations:
 - Grading shall incorporate any applicable measures recommended in soils and geology reports. Detailed plans and geologic report shall be submitted for any permanent erosion-control structures.
 - Grading shall be designed to minimize erosion and control drainage.

- Graded areas shall be revegetated within four weeks of grading activities with deep-rooted, native, drought-tolerant species to minimize slope failure and erosion. Planted areas shall be irrigated if necessary, and maintained to ensure that plants are established. Geotextile binding fabrics shall be used as necessary to hold slopes until vegetation is established.
- Excavation and grading shall be limited to the dry season of the year (i.e., April 15-November 1) unless otherwise approved by the Building Division based on identified erosion-control measures.

To: City of Santa Barbara, Community Development Department Planning Division

Re: FRESH AND EASY, 336 N Milpas, Application Number: MST2006-00236 - Landscape Plan

I am the owner occupant of one of the three R-2 properties located to the east of the proposed new Fresh and Easy store at 336 N Milpas. I believe that it is mandatory that any landscape plan include adding trees to fill in the gap in the existing tree row along the southern border of the Fresh and Easy property line.

May 6, 2011

There is a problem view to my south west. Located on the roof of the Saigon Cafe at 318 N Milpasis a highly visible and extremely ugly industrial monstrosity. I did not receive any notice of any meeting pertaining to the construction of this shiny silver colored ductwork and associated equipment, so I was not able to submit an objection. I don't believe that such a project could have been approved by any ABR. Picture #1 shows that view as seen from my house.

Fresh and Easy and the ABR must be commended by the fine work to produce such a beautiful architectural plan. However, this is not all Fresh and Easy customers see from the parking lot. See picture #2 for a parking lot view of the architectural element greeting the customers. The approved plans call for construction of an eight foot tall CMU fence here, even that will not block the problem. As you can see, the view of this architectural element, which is lording over the parking lot, is not only ugly, but could create a potentially hazardous condition which I will discuss later.

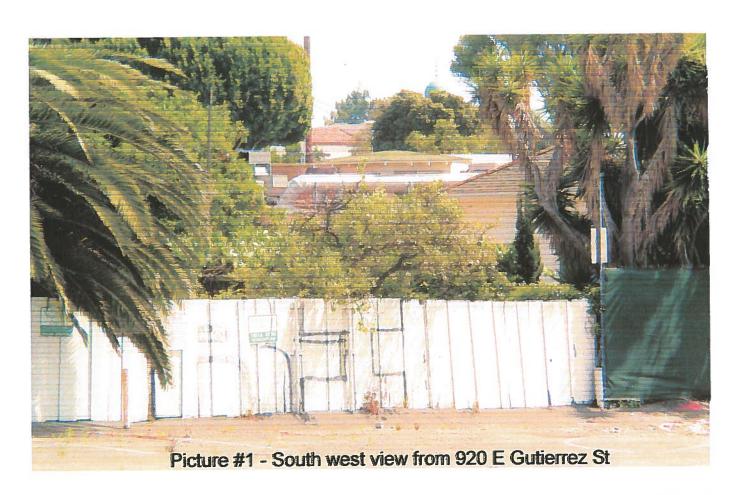
My house is build upon a three foot raised foundation. I have no problem seeing over the existing eight foot fence from my kitchen, breakfast nook, dining room and living room windows. Not only does this present a seriously ugly view, but the afternoon sunlight frequently glares off these shiny silver ducts almost like a mirror. This can be distracting as I look out my west facing windows and at times could be a serious safety issue to those walking and driving in the Fresh and Easy parking lot.

The best solution would be to remove the jurk from the roof of the Saigon Cafe. I realize that would be both beyond the scope of the ABR and this project and would take time. To mitigate this potentially hazardous problem and eyesore, several fast growing, bushy trees should be planted in the gap in the existing trees along the southern boundary to block this view and reflected sunlight. The Fresh and Easy artist rendering of this elevation shows added trees along this boundary. I want to make sure that these trees are of a size and type and properly oriented to block that offending view. It appears that these trees would be planted in the space along the fence, in the vicinity of the trash enclosure. Perhaps on either side. See picture #3.

Respectfully submitted,

Clark Ortone, 920 E Gutierrez St.

805 322-7422





on py 21 + 27

HISTORIC SITES/STRUCTURES REPORT

For

328-336 North Milpas Street

(APN 031-371-002, APN 031-371-019 and APN 031-371-021)

MST 2006-00236

Prepared for:

Longs Drugs

141 Civic Drive Walnut Creek, CA 94596

Attn. Mr. Joe Cavanagh

(925) 210-6755

By
POST/HAZELTINE ASSOCIATES
2607 Orella Street
Santa Barbara, CA 93105
(805) 682-5751
(email: pampost@earthlink.net)

RECEIVED

AUG 3 0 2006

CITY OF SANTA BARBARA PLANNING DIVISION

August 30, 2006

(d) That has yielded, or may be likely to yield, information important in prehistory or history.

The properties at 328 and 336 North Milpas Street, which do not meet any of the criteria necessary for listing as a historic resource at the local or state level, do not embody sufficient significance to merit listing in the National Register of Historic Places:

8.4 Summary Statement of Significance

Neither the property at 328 North Milpas Street nor the property at 336 North Milpas Street, are eligible for designation as historic resources at the city, state, or national level. Therefore, neither property is considered a significant resource for the purposes of CEQA review.

9.0 DETERMINATION OF THE NEED FOR AN ASSESSMENT OF THE IMPACTS OF THE PROJECT AT 328/336 NORTH MILPAS STREET

As noted in Section 8.4 neither the property at 328 North Milpas Street nor the property at 336 North Milpas Street, are considered significant resources for the purposes of CEQA review. The proposed demolition is therefore considered adverse, but not significant. However, since the building is one of the few all steel buildings from the pre-World War II period (outside of several gas stations) the following advisory recommendations are recommended:

9.1 Advisory Recommendations

Photo-document the north and west elevations (the most intact of the four elevations) of the building at 336 North Milpas Street prior to demolition. This would preserve a record of the building for the community. The recordation shall follow the requirements outlined in the City's MEA guidelines for photo-documentation.

The following design revision is recommended:

• Explore revising the design of the new building to reference the surviving features of the Art Deco Style building at 336 North Milpas Street.

10.0 SUMMARY AND CONCLUSIONS

A Historic Resources Report, prepared by *Post/Hazeltine Associates* for 328 North Milpas Street and 336 North Milpas Street, has determined that neither property is eligible for designation as a City of Santa Barbara Landmark or Structure of Merit. Therefore, the effect of the proposed demolition is considered adverse, but not significant (Class III). *Post/Hazeltine Associates* recommends that the advisory mitigation measures outlined in Section 9. of the report be incorporated into the project.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 24, 2011

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION: That Council:

A. Hold interviews of applicants to various City Advisory Groups; and

B. Continue interviews of applicants to June 14, 2011.

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on May 24, 2011, at 6:00 p.m. Applicants will also have the option to be interviewed on June 7, and June 14, 2011, at 4:00 p.m.

For the current vacancies, 30 individuals submitted 30 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment they must be interviewed. Applicants have been requested to prepare a 2-3 minute verbal presentation in response to a set of questions specific to the group for which they are applying.

Appointments are scheduled to take place on June 28, 2011.

ATTACHMENT: List of Applicants

PREPARED BY: Cynthia M. Rodriguez, CMC, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator/Administrative

Services Director

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- One vacancy.
- Term expires 12/31/2011.
- Representative of the Disability Community who is a resident of the City or full-time employees of an entity doing business within the City, during term of office. Appointee shall demonstrate an interest, experience, and commitment to issues pertaining to disability and access and who represent the public at large.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Disability Community (1)	Mary Ellen Bangs			
	Robert Burnham			

BUILDING AND FIRE CODE BOARD OF APPEALS

- One vacancy.
- Open Term
- Resident of the City or adjoining unincorporated areas of Santa Barbara County.
 Appointee shall demonstrate knowledge and expertise in specialty areas governed by the construction and fire codes of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Resident of the City or County (1)	None			

CENTRAL COAST COMMISSION FOR SENIOR CITIZENS

- One vacancy.
- Term expires 6/30/2013.
- Resident of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Resident of the City (1)	None			

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Two vacancies.
- One term expires 12/31/2013; and One term expires 12/31/2014.
- Residents or employees within the City but need not be qualified electors of the City. One representative from each:
 - Housing Interests

- Human Services Agencies
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Housing Interests (1)	None			
Human Services Agency (1)	None			

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Two vacancies.
- Terms expire 12/31/2014.
- Residents of the City who represent the public at large (one of whom shall not represent any specific group).
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Public at Large (2)	Rebekah Altman	12/19/2006 (4 years)		
	Jacqueline Kronberg			

CREEKS ADVISORY COMMITTEE

- Two vacancies.
- One term expires 12/31/2011; and One term expires 12/31/2014.
- Residents of the City or the County with experience in ocean use, business, environmental issues, and/or provide community at large representation.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Experience in ocean use,	Brandy Bartosh			City
business, or environmental issues, and/or represents the community at large (2)	Kirsten Castagnola			City
	Natasha Lohmus	6/30/2009 (2 years)		County
	Jeremy Lyter			City
	Stephen MacIntosh			City

DOWNTOWN PARKING COMMITTEE

- Two vacancies.
- Terms expire 12/31/2013.
- Residents of the City or the County of Santa Barbara who demonstrates an interest and knowledge of downtown parking issues.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Residents of the City or	David Beardon			County
the County (2)	Ruth Anne Bowe			City
	Krista Fritzen			City
	William E. Pinner III			City

FIRE AND POLICE PENSION COMMISSION

- Three vacancies.
- One term expires 12/31/2012 (Qualified Elector);
 One term expires 12/31/2013 (Active/Retired Police Officer); and
 One term expires12/31/2014 (Qualified Elector).
- One active or retired police officer who need not be a resident or qualified elector of the City; and
 Two qualified electors of the City who are not active firefighters or active police officers for the City of Santa Barbara and who may not hold any full-time paid office in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Active/Retired Police Officer (1)	None			
Qualified Electors (2)	None			

HOUSING AUTHORITY COMMISSION

- One vacancy.
- Term expires 8/6/2015 (Appointment effective 8/7/2011).
- Resident of the City who represents the public at large.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Resident of the City who	Robert Burke			
represents the Public at Large (1)	Dale Fathe-Aazam			
	David K. Hughes	7/3/2007 (4 years)		

LIVING WAGE ADVISORY COMMITTEE

- Two vacancies.
- One term expires 6/30/2013 (Living Wage Advocacy Organization Nominee);
 One term expires 6/30/2015 (Owner/Manager of a Service Contractor).
- One representative from each:
 - Local Living Wage Advocacy Organization Nominee
 - Owner/manager of a service contractor subject to the City's Living Wage Ordinance.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Local Living Wage Advocacy Organization Nominee (1)	Anna M. Kokotovic, PhD			
Owner/Manager of a Service Contractor subject to the City's Living Wage Ordinance (1)	Allen Williams	7/11/2006, and 7/3/2007 (5 years)		

MEASURE P COMMITTEE

- Six vacancies.
- One term expires 12/31/2011;

Two terms expire 12/31/2012;

One term expires 12/31/2013; and

Two terms expire 12/31/2014.

Two residents of the City; and

One representative each:

- Civil liberties advocate
- Criminal defense attorney
- Drug abuse, treatment & prevention counselor
- Medical Professional
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Civil Liberties Advocate (1)	None			
Criminal Defense Attorney (1)	None			
Drug abuse, treatment & prevention counselor (1)	None			
Medical Professional (1)	None			
Residents of the City (2)	None			

PARKS AND RECREATION COMMISSION

- One vacancy.
- Term expires 12/31/2011.
- Qualified elector of the City or a resident of the City and a citizen of the United States who is 16 years of age or older.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Qualified Elector (1)	Desmond O'Neill			
	Charles Trentacosti			

RENTAL HOUSING MEDIATION TASK FORCE

- Five vacancies.
- One term expires 12/31/2011 (Tenant);
 Two term expires 12/31/2012 (Homeowner/Landlord); and
 Two terms expire 12/31/2014 (Landlord/Tenant).
- One appointee must be a resident of the City, and four appointees may be residents of the City or the County.
 - One homeowner
 - Two landlords
 - Two tenants

<u>Note</u>: Non-resident members must be owners of residential rental property within the City limits or affiliated with organizations concerned with landlord-tenant issues within the City limits.

• Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Homeowner (1)	Leesa Beck			County
Landlords (2)	Chris Casebeer			City; Current Parks and Recreation Commissioner with term expiration date of 12/31/2013
	James B. Fox			County
Tenants (2)	David M. Brainard			City
	Parvaneh Givi			City
	Michael Petretta			County

SINGLE FAMILY DESIGN BOARD

- Two vacancies.
- Terms expire 6/30/2015
- Residents of Santa Barbara County:
 - One licensed architect; and
 - One licensed landscape architect.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd , 4 th)	Notes
Licensed Architect (1)	Roderick Britton			
	Kirk B. Gradin			
	Fred L. Sweeney			
	Barry Winick			
Licensed Landscape Architect (1)	None			

Agenda Item No.__

File Code No. 160.03



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: Risk Management Division, Finance Department

SUBJECT: Conference With Legal Counsel – Pending Litigation

RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: *Warner McGrew v. City of Santa Barbara*, case number GOL 0101359.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

PREPARED BY: Mark W. Howard, Risk Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Agenda	Item	Nο
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File Code No. 440.05



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General and Supervisory bargaining units, and regarding discussions with unrepresented management about salaries and fringe benefits.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office